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REFORM IN CANADA.

For some time past the public mind in Upper Canada has been directed to a spirit of discontent and proposed reform, lately stirred up by a man of the name of Robert Gourlay. Though nothing of importance to this country is to be apprehended from it, yet it is desirable to be in some degree acquainted with the public movements in that quarter. We will, therefore, briefly sketch the proceedings that have taken place, and wait the result of further movements before we venture an opinion as to its ultimate importance. In doing this, we will first state who this Mr. Gourlay is, that has set himself up as a political reformer. We learn from an anonymous sketch of him published in the papers that he is a Scotchman. His father was a respectable and wealthy farmer, but has from certain causes been reduced in his circumstances. His son, the person in question, is said to be a man of some talents, has travelled on foot through Scotland and written a treatise upon statistics and agriculture. That, at the solicitation of the duke of Somerset he took a lease of a farm of the duke's, at a rental of 500*l*. sterling; that finding the country in that quarter infested with paupers he wrote a series of pamphlets, suggesting a mode of bettering their condition. The severity of his strictures offended the duke, and Gourlay became involved in a law suit with him upon the subject of a lease of the farm he had rented, which the duke had promised him by letter. In this Mr. G. was successful before the judge of Salisbury, but the duke threw the suit into the high court of Chancery, which nearly ruined Gourlay. This determined him to emigrate to America. He proposed to visit the western states of the Union for the purpose of selecting a future residence where there was no slavery. In the prosecution of this design he took Canada in his way to visit a relation in the Niagara District, in Upper Canada, where other objects appear to have arrested his attention, and determined him to an enterprize in that quarter. The first we know of him there, is, he published on the 2d of April last an address to the Canadians, proposing to petition the Prince Regent for a radical reform in the government of that province. The subjects enumerated are "lands to militiamen, the losses sustained during the war, the partiality and delay of those who are appointed to superintend the lands of the crown, in issuing grants to applicants, &c." It is urged as a grievance, that the men appointed to preside

over this department are too desirous to possess large tracts of lands themselves, and to provide for a long string of rapacious connections, to do impartial justice. Mr. Gourlay proposed to make a contract with the British government for the management of the public lands for thirty years, for which privilege he offered to maintain two regiments of soldiers, repair the forts, and for the last twenty years of the term to pay an annual rent to the crown of 100,000*l*. sterling. The address to the Canadians recommends them to elect from each town a representative, to meet in district convention for the purpose of deliberation and adoption of such measures as may be deemed expedient to address to the Prince Regent upon the subject of their grievances. In most of the districts we perceive these representatives have been chosen, and on the 4th of May, the time proposed, the district conventions were held. In Niagara district, at St. Catharines, the convention met, appointed a Treasurer to receive the subscription money of those who should sign the petition, one dollar each, and a secretary to make a journal of their whole proceedings. A committee was appointed to revise a petition that had been previously prepared, which was read, the principles approved, and ordered to be published throughout that district for one month, for animadversion and amendment. Some other business was also transacted respecting the time, &c. of holding meetings in other parts of the province. The convention then proceeded to choose representatives to the proposed Congress, and appointed the 6th day of July next as the time for them to meet at York (U. C.)

In the county or district of Stormont, at the request of the Colonel and other officers of the militia, an address to the inhabitants of that county was read, which address disclaims the policy of joining in the plans of Gourlay, and after adverting to his object and design, which it declares interested and hypocritical, inquires if there be grievances whether they have not a legislative government who will take an active part in redressing them; and in reply to the assertion of Mr. Gourlay that "*a radical change in the government of Upper Canada is necessary,*" inquires what improvement can be made in their present government. "Are we not at liberty by our legislature to make such laws, rules and regulations for our own government as we may think proper; and does it not depend upon ourselves to make such laws as our situation and the public good require? What then have we to complain of

Are our internal regulations thwarted by government? No! Is justice withheld from the poor and extended only to the rich? No! Are our taxes extravagant? No! In the name of common sense, then, let me again ask, what have we to complain of?" The address then proceeds to state that though Mr. G. has been a resident among them but a few short months he steps forward as the public champion, and boldly and impudently asserts that a radical reform in the government is necessary; which he predicates upon a few imaginary grievances conjured up in his *own imagination*, and which exist only in his *heated fancy*. After indulging in many other strictures, the address recommends the meeting to make a bonfire of all the pamphlets and papers having a tendency to the promotion of Gourlay's views, which we understand actually took place, amidst the acclamations of the inhabitants. It appears, therefore, that Mr. G.'s plans will not readily succeed in this district.

If there be evils existing in the administration of justice, or in the laws for the Government of that province, we humbly think no person or persons so well qualified to seek redress with advantage and effect as the old resident citizens of talents, standing and influence. If the American revolution had had no other impulse given it than could have been received from a foreign adventurer, who had every thing to gain and nothing to lose, we should most probably been yet colonies to Britain, and instead of having the then grievances lightened they would have been increased. It is ever the case that when an unsuccessful resistance is made to a government, the evils complained of are increased instead of being diminished. Whether the plans of Gourlay will succeed, time will alone determine. Some pretend to see in this the seeds of revolution and separation of these colonies from the mother country. Such an event may happen, but many persons think it will require the aid of other kind of persons than those who have attached themselves to this adventurer. It may also be questioned whether Canada would better her situation by becoming an independent government, with her present population and resources.

RELEASE OF R. W. MEADE.

The following royal order for the release of Mr. Meade, from a Spanish prison, is truly characteristic of the reigning monarch of that country. When he has, or vainly imagines he has power, he is cruel, despotic, and deaf to justice. When resistance threatens, mean and submissive. The determined spirit manifested in congress, to grant reprisals upon his majesty's subjects, the

firmness of the executive government, and the free animadversions of the press, appear to have alarmed his "immaculate" majesty, and driven him to one act of justice.

RELEASE OF R. W. MEADE.

Translated for the New York Evening Post.

Our lord, the king, having been made acquainted with the consultation which the committee of justice, with associates from that supreme tribunal, made to his majesty on the 4th of October last, has again minutely examined the proceedings touching the law suit pending between Mr. Richard Meade, a citizen of the United States of America, and Mr. John Macdennot, a subject of his Britannic Majesty, about the recovery of 1,050,327 *reales* and 20 *maravedis*, which were by Mr. R. Meade delivered as a deposit. It appearing satisfactorily proved by the said proceedings, that the deposit was really made in cash, that the royal treasury had acknowledged it so, and that in consequence thereof Mr. R. Meade could not be considered as a bankrupt, nor be subject to the imprisonment he was suffering; and although the like acknowledgement of the said deposit had been made by several royal orders, by the depositions of the ministers of the royal treasury transmitted to the said supreme tribunal, by the department of the secretary of state, by that of the royal treasury, and directly by the reclamations made by the same supreme tribunal in the committee of justice, his majesty has been pleased to require again the opinion of the treasury department, touching a subject which has such an intimate relation with the credit of his royal treasury. By the exposition made by the said department, his majesty has been confirmed in the opinion he had long entertained, that the royal treasury could not but acknowledge that the aforesaid deposit had been really and effectually made in cash, and therefore ought to return the same amount in the same kind. In consequence thereof his majesty has deigned to declare anew the same, and to order, that as speedily as possible the sum aforesaid be delivered to the chamber of commerce (*consulado*) who has the cognizance of the suit pending between the parties as aforesaid.

His majesty has seen realized, with the greatest sorrow, the disagreeable consequences which were anticipated by Mr. Meade's arrest; this incident having raised perplexing difficulties in the important relations between the government of his majesty and that of the United States of America, at the most critical juncture giving reason to the strong reclamations of the latter in support of those of their minister at Madrid, supposed to have been neglected; exciting thereby, through the newspapers, the most unfavorable and alarming impressions in that country, against the interests of his majesty; who has lately received information of the congress having resolved with the greatest energy to proceed to make severe reprisals on the subjects of his majesty.

In consequence whereof, and the motives on which the royal order of April 25th, 1816, no longer existing, and likewise those upon which the committee of justice of that supreme tribunal had maintained the imprisonment of Mr. R. Meade, being void, his majesty has been pleased to resolve, that he shall forthwith be set at liberty; that the said deposit be considered as duly and lawfully made, and at the charge of the royal

treasury; and that the law-suit in all other points be continued as the law directs.

Of which, I acquaint the secretary of that supreme tribunal, by virtue of a royal order, for their direction, and to the end of its most exact and speedy accomplishment.

God preserve your lordship many years.
At the palace, April 20th, 1818.

(Signed) JOSE PIZARRO.
To the Secretary of the Supreme Council of War.

The letter enclosing the above says, I send you a copy of the Royal Order to the Supreme Council of War commanding them to take the necessary steps for Mr. Meade's release without delay. It is an interesting and important document, showing the prompt and efficient effect produced by the decisive measures pursued by the executive and Congress of the United States, on the representations made them. Mr. Meade was liberated on the 4th of May.

The U. S. line of battle ship Washington, com. Chauncey, arrived at Gibraltar on the 7th May, in 12 days from Mahon, and would sail for New-York in about 10 days after the Belle. She left the residue of the American squadron all well, and the crews in a perfectly healthy state. They had recently appeared before Algiers and Tunis, and as usual excited great respect at those places. The whole squadron was expected at Gibraltar about the 20th May.

The plague continued to rage at Algiers, and was extending westward.

All the ships of the Russian squadron at Cadiz have been formally condemned as unseaworthy.

AMERICAN AND BRITISH NAVIES.

The late war between the United States and Great Britain, in a more special manner the Naval war, has so wounded the feelings and mortified the pride of the enemy, that he has been guilty of much and gross misrepresentation, in his official, as well as other, publications. The object of these publications is too obvious to require a remark; but however little disposed we may be to poison "the flattering unction" which the enemy has taken to his bosom, we surely are not bound nor disposed to permit him to insult, abuse, or misrepresent, our naval force. The article which we this day publish from the *London Courier*, a paper devoted to the administration of England, attracted our attention some time since. We were quite satisfied it was full of misstatements, as it respects the British navy, and full of misrepresentations as it regards the navy of this country. Not being in possession of that precise and authentic information, which would enable us to do justice to the subject, we enclosed the *London paper* to a friend, whose talents and opportunities eminently qualified him, and whose zeal for the service, and love of country, we trusted would induce him to take the trouble, and do the justice we requested. We were not mistaken, and we ask the undivided attention of our readers to the "remarks" on the "*Courier*" article with which we have been obligingly furnished. They are full of knowledge, and abound with matters of fact, which every American should treasure in his memory. [*Dem. Press.*]

AMERICAN NAVY.

From the *London Courier*.
The American papers which we have lately re-

ceived continue to speak of the efforts making to increase the strength of the navy of the United States, with a view, *no doubt*, to a more desperate competition with Great Britain, should any unforeseen circumstances unhappily occasion another rupture between the two countries. Such an event is most earnestly to be deprecated; but, as in the various and fluctuating relations of states, it is impossible to say how soon tranquility, apparently the most profound, may be violated, it may be worth while again to call the public attention, while it can be calmly directed towards the subject, to the practise, on the part of the Americans, of *under-rating* their vessels: all of which are in fact of much greater strength than the class to which they belong. America is at present the only power that makes any distinction between the rate and the actual strength of its ships of war. Neither France, Spain, nor Russia do so, nor, we believe, did they ever do so. The present American 74's can throw a broadside within 50lbs. as heavy as that of the *Caledonia*, a British ship rating 120 guns, and measuring 2617 tons. What the difference is in the frigate class may be seen in the following comparison, from James's "*Naval Occurrences of the late War*," between the *Endymion*, the largest and most formidable 44 gun frigate belonging to our navy, and her late adversary the *President*, an American frigate of the same rate:

Broadside metal in pounds	} Endymion (44) Long guns Carronades,	322
		364
		— 676
Complement	} Men Boys	319
		27
		— 346
Size in tons		1277
Broadside metal in pounds	} President (44) Long guns Carronades	408
		508
		— 916
Complement	} Men Boys	472
		5
		— 477
Size in tons		1533

It is far from improbable, however, that the American government, *shamed by the British order in council*, directing that all British men of war shall henceforward be rated according to their actual force may be contemplating the means of reducing their rating system, and bringing it a little nearer the standard of truth. The variation between the rate and the mounting of the ships of the British navy, was of gradual progress, attributable to accident rather than to design. If the Americans should pretend that the wide difference which exists between the rate and the mounting of their ships, arose out of adventitious circumstances, in no wise connected with any intention to deceive, or to obtain an undeserved advantage or character, the report of their own secretary at war, made so far back as in the year 1798, will show the fallacy of any such assertion; and as this subject may, at some time or other, be of much national importance, we subjoin, from the able work that we have already quoted, a passage in which that report is comprehended:

"An act of congress, dated the 27th of March, 1794, authorized the building of four ships of 44 guns, and two of 36 guns;" and in 1813, the following appeared in a Philadelphia newspaper:—

Extract from a Report of the Secretary of War, dated April 1, 1798.

"It appears that the first estimate rendered to congress, was for the frigates of the common size and dimensions, rated at 36 and 44 guns; and that the first appropriations for the armament were founded upon this estimate. It also appears that, when their size and dimensions came to be more maturely deliberated, due reference being had to the ships they might have to contend with, it was deemed proper so to alter their dimensions, without changing their rates, as to extend their sphere of utility as much as possible.

"It was expected, from this alteration, that they would possess, in an eminent degree, advantage of sailing; that separately, they would be superior to any single European frigate of the usual dimensions; that if assailed by numbers, they would be always able to lead a-head; that they could never be obliged to go into action but on their own terms, except in a calm; and, that in heavy weather, they would be capable of engaging double decked ships.

"These are the principal advantages contemplated from the change made in their dimensions. Should they be realized they will more than compensate for having materially swelled the body of expenditures."

"Here is an official document, pointing out the 'advantages' of sending forth ships of greater size and force than their rate implies; evidently to operate as a cheat or delusion upon the rest of the world.

"There was no 'European frigate of the usual dimensions, but was known to be a third smaller, and a third weaker, than an American frigate 'of 44 guns.' But why to rate of 44 guns? Because the largest 'European frigates' then mounted that number; consequently, a frigate 'of 44 guns' was apparently equal to a frigate 'of 44 guns.' The difference between the rate and mounting was supposed to be a secret; the above 'Report of the Secretary of War' not being suffered to see the light, till of late years, when some of the 'advantages' of the deception had become indeed 'realized.'"

"Happily it was reserved for Britain to pluck the veil of deception from the rating system. Her gallant tars require not the aid of fiction to give a color to their claims. The order in council expresses that all the vessels in the navy shall in future be distinguished by the number of guns and carronades they actually mount, and not according to the erroneous denominations which had long since grown into use. America, surely, will not now have the face to continue her rating system. In verification of the old proverb she will find it her interest to be honest; but it will not be forgotten who set her the example."

REMARKS ON THE ABOVE.

It was not until after the war with Tripoli that our ships mounted more guns than they rated, and the cause of their mounting more then was the adopting the use of carronades in our service. The Constitution, the President, and the United States were built for 44's, and until that period mounted only the number at which they were rated. The Chesapeake was also intended for a 44, but finding she would only bear 38 long guns, she was rated a 38. The Philadelphia and Constellation were built to carry 36 guns, and carried no more. They are rated 36's, and have always been so rated. It is well known that in

the action with the Insurgent, mounting 44, and with the Vengeance, mounting 50 guns, the Constellation mounted only 36. The first ship armed on the upper deck with carronades, in our service, was the Chesapeake. When commodore Decatur took command of her, after the attack of the Leopard, he adopted the British plan of carronades on the fore-castle and quarter deck, and they being lighter than long guns, and of greater calibre, it was found that their number, and consequently the force of the ship, might be considerably increased without increasing the weight of metal. The practise was believed to be a good one, and was adopted in our service generally, whence arose the circumstance of their mounting more guns than they rated. It was not done, in our service, with a view to deceive, whatever might have been the object of the British. The laws authorised the building of ships to carry a certain number of guns, and they were built and mounted, with one exception, (the Chesapeake) the number specified. The laws were made public, and there could have been no disposition whatever, at the time they were built, of practising deception on the world in expectation of a naval contest with Great Britain. The three ships spoken of in the secretary's report (admitting the report to be genuine) were built under a federal administration with views to a co-operation with England against France, and were employed. The navy was strenuously opposed by those of different politics, not from feelings of hostility to the navy itself, but from apprehensions as to the motives of those then in power. The force authorised was a very limited one, and the administration was no doubt desirous of making the most of it; but take the report in its utmost latitude, it can only prove that the ships were built larger than the first draft, on the most approved construction, possessing the advantages of great fleetness and buoyancy, not that they carried more guns than they rated—and it is not the dimensions of a ship, but the number of guns she mounts and her metal that renders her formidable in war. These advantages we have never denied, and never shall deny. We believe our ships to be better than those of the same class in the British navy—nay, we believe our officers better, and we believe our seamen and our discipline better, but we do deny that we have practised any deception, the secretary of war's report to the contrary notwithstanding. Of this report I have only to say that I have searched the records of the war and the navy office, and can find none such in either, nor do I believe it ever existed but in "James' Naval Occurrence of the late war."

I shall not enquire into the comparative force of the Endymion and the President. Had the President been taken by the Endymion alone it might then have been worth while; but if the Endymion 44 is not so large as the President 44 by upwards of 200 tons, I do assert that the President is exceeded as much by other 44's in the British service as she exceeds the Endymion. The Java, the Leander, the Liverpool, the New Castle, and several other 44's, are at least 200 tons larger than the largest American frigate; and the Egyptian rated only 40 guns equally exceeds them in size. In the fall of 1805 she lay at Lisbon near the Constitution, then commanded by commodore Rodgers—both ships were measured by their officers, and on a comparison it was

found she exceeded the Constitution in tonnage 200 tons. The Constitution at that time mounted only 44 guns. The Egyptian, although rating only 40, mounted 51. The Constitution, the United States, and the President, are of the same size, and by a comparison of the latter ship with the Egyptian 40, every one may judge how correct is the assertion, that "the Endymion is the largest and most formidable 44 gun frigate belonging to the British navy," and that there was "no European frigate of the usual dimensions, but what was known to be a third smaller, and a third weaker, than an American frigate of 44 guns."

The practice in the British navy has been to rate their frigates by the number of guns mounted on their gun deck, without reference to the whole number mounted. A frigate mounting 26 guns on the gun deck was called a 32, 28 a 36, and if 30 a 44. The same rule answered equally well to our rates. The Essex 32 mounted 36 guns on her main deck. The Constellation 36 mounts 28, and the Constitution, United States and President, 44's, mounted each 30 guns. The rule, whether good or bad, is a British rule, and whether the introduction of it into our service arose "from design or from accident," it is presumed that if we approve of it, we shall not discontinue it, because England by an order in council has made to the world the degrading confession of the deception she has been so long practising! nor do I deem it necessary to enquire what is the practice of other nations. Suffice it to say that *such is ours now*. We construct, we arm and man our ships, to please ourselves—not to gratify others, and we shall in this instance feel ourselves no more "shamed" by the "example" of England than we were by the "order in council," forbidding their frigates to engage ours singly! We did not follow the one, nor can I perceive the moral obligation for following the other; but if England has really learnt the value of honesty, and intends practising it, we do, in such case, in justice to ourselves, claim the merit of having taught her by our *precept*, whatever credit she may be entitled to by her example, and one, we think, will not be "forgotten" sooner than the other.

As regards our 74's, I shall merely remark, that the Washington, the Independence, and the Franklin, are much smaller than many 74's in the British service. The latter ship has visited England—the others have been visited frequently by British officers in the Mediterranean, and although all have been loud in praise of their equipment, discipline, &c. &c. there has been the most perfect silence in regard to their size.—Would this have been the case, let me ask, had their dimensions have exceeded the ordinary size of British 74's?

LEGISLATURE OF NEW HAMPSHIRE.

Governor's Message.

*Fellow citizens of the Senate
and House of Representatives.*

It has long been the practise, and is considered the duty, of the executive magistrate of this state, early in each session, to recommend to the consideration of the legislature, such subjects as appear to him of public utility, and which require the further aid of the legislature to promote and secure.

The ultimate object which legislators ought constantly to keep in view, and to which all their proceedings should be subservient, is *the happiness of the people*. As our government was "instituted for the common benefit, protection, and security of the whole community, and not for the private interest or emolument of any one man, family, or class of men," if the interest of the great body of the people actually requires amendments to our laws, although they may operate to the disadvantage of a few, or to a class of men we are bound to make those amendments. The welfare of society requires that the prosperity of the *many* should be preferred to the conflicting interest of the *few*. And we are under high obligations to our constituents, not only to take care that the laws be duly executed, but to improve and perfect our civil institutions, so as to render them conformable to natural justice, and to the actual state of society.

Upon these principles, permit me to recommend a few subjects, which, from their importance, appear to merit your candid and faithful consideration.

A spirit of litigation, instead of being repressed, appears to meet with encouragement in various parts of the state. The great number of law suits, many of which are trivial, and their expense and delay ruin many of the suitors, who, after being relieved from imprisonment, by taking the poor debtor's oath, become a burden to society. The annual expense of suits in this state is immense, and the *tax* levied in this way, falls with oppressive weight upon a class of people least of all able to bear it. If the legislature should assess an annual tax of the same amount upon the people, for any useful purposes whatever, a spirit of murmuring and complaint would pervade every part of the state. And has not the government some reason to apprehend that evil consequences may result from the vast number and expense attending those suits? If states are secure, only in proportion as the great body of the people are contented with their situation, and attached to the laws and institutions of their country, it is surely our interest, as well as our duty, to render the people happy, by diminishing their burdens, and thus increasing their attachment to the laws and to the government. And in doing this, it is more safe to prevent discontent by removing the causes of complaint, than to eradicate it when once established.

In every state of society, law suits must necessarily exist; but their number and expense, and the loss of time in attending them may be diminished, without endangering the rights of the citizens, or making great changes in our judicial system. With this view, I recommend that the superior court of judicature should in future have the exclusive jurisdiction of all *real actions*. It is well known that almost every action of this description, is now carried to the superior court for their decision—few, if any, are ultimately decided in the common pleas. Why then subject suitors to the unnecessary expense of commencing such suits in the common pleas, when it is not in the power of that court, or either of the parties, to compel the other to have a trial there, or disclose the facts on which he relies? I would also grant to the superior court original concurrent jurisdiction of all *personal actions*, where the sum demanded in damages shall be fifty dollars or more. These provisions would save to the suit-

ors the fees for entry, travel, attendance, appeal and copies at the inferior court, and the delay resulting from the present practise, all of which are very considerable. And as a compensation for the additional duty, thus imposed upon the justices of the superior court, grant them an additional salary, equal to the fees of entry of those actions, (except a certain portion to the clerks,) which would increase the compensation of the judges, without taxing the public treasury.

As the superior court have authority to grant new trials, in the nature of a review, in cases where it appears to them that substantial justice has not been done, the policy and expediency of allowing a review in all civil cases, appears to me doubtful. It is not only attended with great expense and long delay, but encourages litigation, if not false swearing. The losing party having discovered what testimony his case requires, is under strong inducements to procure it. In criminal prosecutions, even when affecting the life of a citizen, only *one* trial is permitted; and does not the interest of society require that litigation respecting property should terminate as speedily as is consistent with the claims of justice? A neighboring state, upon the recommendation of the judges of its supreme court—a court long and justly celebrated for its legal science, has recently repealed its law, which allowed reviews in all civil cases. I think sound policy requires us to imitate their example.

It appears to have been the intention of the legislature, by the law of the 27th of June, 1816, to prohibit suitors appealing from judgments of the courts of common pleas, in *personal actions*, where the sum demanded in damages should not exceed fifty dollars; but it has been found by experience, that the provisions of that statute do not prevent defendants from appealing from such judgments. I therefore recommend a revival of the law on that subject.

The multiplicity of small vexatious suits, requires redress. Instances have occurred where the cost has been more than one hundred times as large as the debt. To prevent the recurrence of such evils, I know of no remedy more effectual than to prohibit plaintiffs from recovering any costs, unless they recover damages, to a certain specified amount. Such a law would not only relieve the poor from oppression, but compel them to be more punctual in the payment of their small debts; for credit being necessary to their subsistence, they would find greater punctuality to support it. Still further to check the baneful progress of such suits, I recommend that a law be passed, enacting that if a plaintiff in a civil suit appeals from the judgment of a justice of the peace, and shall not on the appeal recover judgment for more damages than the justice awarded, the defendant shall recover his costs; and in case a defendant shall appeal from the justice's judgment, and not obtain judgment in his favor, the plaintiff shall be entitled to double costs.

In many cases penalties and forfeitures are annexed to the breach of particular statutes, and authority given to any person to commence and prosecute suits for the recovery of those forfeitures; one moiety for his own use, and the other for the state, county, town, or corporate body. Persons commencing such suits, usually do it either from a collusion with the offender, from avarice, or from the gratification of private revenge—motives unworthy of those who ought to

be intrusted with the execution of the laws. Hence, of the suits thus commenced, the state or any corporate body, has seldom or ever received its moiety of the penalty. Yet it cannot be doubted that instances have frequently occurred, in which our penal statutes have been violated, to the injury and oppression of individuals. At the last session I recommended this subject, as well as one in relation to criminal prosecutions, to the consideration of the legislature. In addition to what I then stated, permit me now to suggest the propriety of so amending the laws, as to deprive individuals of the right to commence *qui tam* actions, in all cases where the penalty exceeds the jurisdiction of a justice of the peace, making it the duty of the attorney general to prosecute by indictment such offenders as the public interest requires; and giving the whole of the forfeiture to the state, county, or corporate body. In that case, the known character of the attorney general and of the grand jurors, would afford protection against vexatious prosecutions, and insure the due execution of the laws. If such a mode should be adopted, you will judge of the propriety of providing that a summons, instead of a *capias*, should issue against the accused; and liberty given him to appear and plead personally or by attorney; and, if found guilty, either on default or trial, execution to issue against him as in civil suits. Considering the nature of some of our penal statutes, and the probable ill health of some who may be accused, it would partake of too much severity to require their personal attendance at court.

There is another subject connected with the amelioration and improvement of the condition of our fellow citizens, which merits your consideration. I mean that of the imprisonment of debtors. Their confinement within the walls of a prison pays no debt, and instead of increasing diminishes the means of payment. The loss of the labor, industry, and talents, of useful citizens, thus deprived of their liberty, not only depresses their ambition, but often subjects towns to the charge of maintaining their families, made destitute by the absence of those who usually provided for them. In ancient times, and in countries less civilized than our own, the power of the creditor over the body of the debtor was almost unlimited. Even in New Hampshire, in the early stages of our government, the debtor was strictly confined within the walls of a prison. The laws at that time afforded him no relief; he was imprisoned for life, unless he paid the debt, or was liberated by the humanity of his creditor. A long period elapsed before a prison yard was established, in which the debtor, by giving bond, was permitted to breathe the common air without the limits of the prison house; or before indigent debtors were authorized, in any case, to make oath that they were unable to pay their debts; even then, an unfeeling creditor had authority to retain his debtor during life, by paying a small sum for his weekly support. To the honor of the state, this power of the creditor over his debtor has been recently annulled; and certain portions of his property, requisite to support his life, exempted from attachment.

Great as these improvements are, the cause of humanity and of natural justice requires further legislative aid. We are bound not only to protect the rights of creditors against the frauds of debtors, but to shield the latter against the unjust severity of the former. Our laws still authorise

the creditor, after taking the greatest part of the debtor's property, to deprive him of his liberty by confining him in prison, without affording him the means of subsistence; and, if poor and friendless, he will be unable to obtain even the liberty of the prison yard. I would therefore recommend that no debtor should hereafter be committed to prison, either upon mesne process or execution, unless the creditor at the time of commitment shall pay the cost of commitment, and give to the jailer ample security for the comfortable support and maintenance of the prisoner so long as he shall be detained by him. If creditors will resort to the severity of depriving debtors of their personal liberty, it is reasonable that they, and not the public or the jailor, should support them. I also recommend that persons committed, either on mesne process or execution, shall have liberty as soon as they are imprisoned of taking the poor debtor's oath, after giving reasonable notice to the creditor of their intention. I can see no necessity for a poor man, imprisoned on mesne process, to suffer confinement till judgment is rendered and execution levied on him.

The time appears to be approaching when imprisonment for debt will no longer exist in any case, but creditors will consider the industry, fidelity and property of their debtors, and not the power of depriving them of liberty, as their only real and sufficient security. To make so great a change at the present time might be attended with serious inconveniences. Reform, to be useful and permanent, must be gradual. As many persons are imprisoned for small debts, and in such cases where payment is enforced by that means, it is usually obtained, not from the debtors, but from the humanity of their friends and neighbors, I would therefore recommend that the bodies of debtors should not be liable, for any debt hereafter contracted, to be arrested on any process issuing from a justice of the peace. Let frauds in concealing property subject the offender to punishment, but preserve as far as may be the personal freedom of the citizens; for every unnecessary restraint on his natural liberty is a degree of tyranny which no wise legislature will inflict.

The number of questions of law which the superior court are bound to decide often renders it necessary to continue the suits in which those questions arise from term to term, and occasions considerable delay in the trial of other causes by the jury. To remedy this evil, I recommend to your consideration the propriety of establishing a law term annually in some central and convenient part of the state.

The clerks of the several courts of law, from the nature of their office, necessarily receive considerable sums of money, which of right belong to the state, to the several counties, and to individuals; yet there is no law that requires them to give bonds for the payment thereof. The clerks of the superior court are bound to pay over for the use of the state a certain portion of the fees of entry, and certify the same to the secretary; but some of them have not complied with the law. The clerks of the common pleas are also bound to pay to the several county treasurers a portion of the fees they receive for the entry of suits. And the clerks of both those courts are obliged to receive moneys due to plaintiffs on mortgages, money brought into court on tenders

made, and on rules issued by order of the judges. To remedy the evils that may arise in these cases, I recommend that provision be made, requiring the several clerks to give bond with sureties for the performance of their duty.

As lotteries are a species of gambling as fatal to the morals, time and property of the people as others which our laws prohibit; as the legislature has not for several years granted but one lottery; and as a neighboring state has recently prohibited, under severe penalties, the advertising or vending tickets not made by their authority; it appears to me that a similar provision would be useful in this state.

Our militia laws require amendment. Those of the United States make it the duty of the adjutant general of this state to return an annual account of all the militia in the state to the president of the United States, and to the governor of this state. In every point of view it is of importance that those returns should be punctually and correctly made. If the returns are incomplete, the state suffers a loss of arms from the United States; for the apportionment of arms is made to the several states according to the returns of the adjutant generals. But owing to the neglect of the returning officers, our adjutant general has not been able to make such returns as the law requires of him. He has recently informed me that from one of the brigades he has never received a full return, and for several years no return whatever. This evil may and ought to be remedied, by subjecting, in case of future neglects, the captains of companies, the commanders of regiments, and the brigade inspectors, to fines and penalties, as well as removal from office by the proper tribunals.

The law of last June, establishing the thirty-eighth regiment, did not annex it to any brigade or division. To remedy that omission, it is now requisite to annex that regiment to some one of the existing brigades and divisions.

The law authorises the governor to determine the color of the uniform for the infantry; but as he is elected for a short period of time, and sudden changes in the uniform would subject the officers to considerable expense and to great inconvenience, no governor has for many years, if ever, exercised this authority. Permit me therefore to suggest the propriety of permanently establishing by law, to take effect at some future day, the color and uniform for the officers of the different corps, and that the cloth should be of *American manufacture*.

The support of the state prison forms a large and increasing item in the annual expenditures of the state, and merits the vigilant inquiry of the legislature, whether a system of greater economy and of more security may not be introduced. This establishment and its support has already cost the state sixty-one thousand five hundred and eighty-nine dollars seventy-six cents, of which sum there were paid the last year from the public treasury seven thousand eight hundred and fifty dollars. The convicts in general have been men of strong constitutions, of sound health, and capable of performing much useful labor; such men, it was natural to expect, would support themselves; but this expectation has not been realized. The object of the law was not only to punish the convicts for their crimes, but compel them by their labor to maintain themselves while receiving that punishment.

To effect this purpose some changes in the law, and in the management of the prison are necessary. The diet and clothing of the prisoners are too expensive: they are fed and clothed better than they were, in general, before their imprisonment; and in that respect suffer no punishment. Their diet, though wholesome, should be simple and without change, sufficient to satisfy nature, but not to provoke appetite or gratify the palate; their clothing of plain coarse cloth; but neither of these should be expensive. Justice, as well as policy requires, that a course of rigid economy should be adopted in every thing relating to the prison. Though the convicts should be treated with humanity, they ought to feel privations, and know that these are the effects of their own crimes; and their appearance should make the same impression on the numerous spectators who visit them.

Permit me to add, that a more effectual mode of keeping, investigating and adjusting the accounts of the warden, than the one now practised, appears necessary: that it would be prudent to establish some regulations respecting the wages of the officers and privates of the military guard; prohibit the warden from having any interest as an owner in any machinery, or articles manufactured in the establishment;—and if the amount of the salary of the officers of the prison, were in some measure to depend on the loss and profit of the establishment, the state would have additional security, that its concerns would be conducted with prudence and fidelity. It is not the design of these remarks, to criminate the officers of the prison but to suggest some of the defects of the present system.

Since the recess of the last legislature, I have received a letter and several publications, from that eminent writer, and highly distinguished philanthropist, JEREMY BENTHAM, Esquire, of London, in Great Britain, upon penitentiary houses, and on the necessity of rendering the laws in general more explicit and certain.—These papers shall without delay be communicated to you. From them it appears that he proposes to submit to your examination for the use of the state, a complete code of laws formed upon enlightened principles of legislation.—The great importance of the object, and the peculiar talents of the author, render the subject worthy of your mature consideration.

Though I have not obtained a final settlement of the claims of this state against the United States for services performed during the late war, I have recently received a further advance of six thousand dollars on that account, which I have paid to the Treasurer of this state.

The report of the Treasurer, and of the committee entrusted with building the State House, will enable you to determine what tax it will be proper to raise, for defraying the necessary expenses of the ensuing year.

The peaceable and prosperous state of the nation, and the general harmony and union of the people, are circumstances highly favorable to the making of such improvements in our laws, as reason and experience suggest, and the public interest demand. More than this, it is not necessary for us to perform, and less would be a dereliction from the duties of our respective stations.

WILLIAM PLUMER.

Concord, June 4, 1818.

BY THE PRESIDENT OF THE UNITED STATES.

Whereas, by an act of congress, passed on the 12th December, 1811, entitled "An act extending the time for opening the several land offices established in the territory of Orleans," the president of the United States is authorized to cause the land offices in the said territory, now state of Louisiana, to be opened, and the land offered for sale:

I therefore, I, JAMES MONROE, president of the United States, do hereby declare and make known, that public sales shall be held at Opelousas, in the state of Louisiana, for the disposal of the following lands, agreeably to law, in the western land district of Louisiana, viz:

On the first Monday in December next, for the sale of townships No.

1 and 2 South	} Of the base line in	1 2 3 4 5 6	
1 and 2 North		Ranges	1 2 3 4 5 6
3 North			3 4 5

West of the principal meridian.

On the first Monday in February next, for the sale of townships

3 South	} Of the base line in	2 3 4 5	
4 South		3	
5 South		3 4 5 6	
6 7 8 9 10 South		Ranges	4 5 6
11 South		4	
12 South		3	

West of the principal meridian.

Excepting the land reserved by law for the support of schools, and for other purposes. Each sale shall continue open for three weeks and no longer, and the sales shall be in regular numerical order.

Given under my hand, at the City of Washington, the twentieth day of June, one thousand eight hundred and eighteen.

JAMES MONROE.

By the president,

JOSIAH MEIGS,
Commissioner General Land Office.

The president, by proclamation of the 23d inst. has announced the public sale of the following described land, in Illinois territory, to take place on the first Monday and Tuesday in October next, viz:

17 sections in township 14 s	range 1 e
8	11 s 1 e
9	12 s 1 e
5	11 s 2 e
6	12 s 2 e
15	13 s 5 e
8	14 s 5 e
8	13 s 6 e
4	14 s 6 e
12 1/2	7 s 7 e
4	7 s 8 e
12	8 s 8 e
6 1/2	12 s 8 e
8	3 s 9 e
10	4 s 9 e

MISCELLANEOUS.

Disaster of Adventurers.—The following is an extract of a letter from an American citizen, late a lieutenant in the army of the U. States, who joined Mina's expedition. How many of our fellow citizens have been enticed from their country, to

suffer a similar fate, it is not easy to estimate; but the number amounts to hundreds, if not thousands. [Int.]

A LETTER TO A FRIEND.

Havana, May 1, 1818.

"Dear Sir—I now, for the first time since I have been a prisoner, have had it in my power of informing you of my miserable situation. I thought my sufferings were great before I landed in Mexico—so soon as we landed I found that we were all lost. I then got permission to return home, and was on board of a ship to return to the United States; but, unfortunately for me, she was captured a few hours before she was to have sailed. I made my escape to the shore, and went to Mina's fortification, which mounted 8 pieces of cannon—the whole force to defend which amounted to 100 men. Mina entered the country with 600 men. The fort in which I was, was attacked on the 12th June, 1817; there was a cannonading between the royalists and the patriots until the 15th, when the royalists, finding their force so much superior, came within grape and musket shot, with 18 pieces of cannon, and 2500 men. The fort held out for ten hours. The Americans in the fort, amounting to thirty, found they had to do all the fighting; the remainder were Spaniards and Frenchmen, who proved cowards, although they declared they would blow up the fort before they would be taken. The Americans, finding they were either to be taken by storm, and put to the sword, or be blown up, thought it best to present themselves. I presented myself, and the fort capitulated. The terms of the capitulation were, that the lives of the garrison should be sent to their respective countries. They have all been held as criminals and loaded with irons. Those who presented themselves with me had their liberty for ten days—passports were promised them, and assurances given of being sent home, we have, however, been detained as prisoners. I have not, as yet, had any irons on me. I was sent to a town called Attemudea, where I remained for two months. I lost all my clothing, with the exception of those I had on when I presented myself. I have been nearly naked ever since, and covered with vermin. From this town I was sent, in company with fifteen officers, likewise prisoners, through the country nearly to Mexico, and then on to Vera Cruz. The distance I travelled was 300 leagues, the greater part of which was the worst road I ever travelled in my life, and over mountains which took us five and six days to cross. When we got near Mexico, we found a lovely country on to Vera Cruz. The road from Mexico to Vera Cruz is the handsomest I ever saw. I remained in Vera Cruz until the 5th of April, almost starved, and nearly destitute of clothing. My allowance was four ounces of bread per day, with twelve spoons of rice, three times a day.

From Vera Cruz I was sent to this place, and since my detention here, have written to several Americans, but never found one that would say—Here is a shirt or a dollar. No; experience has taught me to know that when a man becomes reduced, there are few that will cast towards him a look, from which a conclusion might be drawn, that the heart feels sympathy! In a short time I shall be sent to Cadiz, where I am doomed to be detained as a prisoner for ten years. Many are the conjectures, at this place, relative to the probability of a war breaking out between Spain

and America. I wish you to state my case to your friends at the department, as I persuade myself my government will be prompt in demanding my liberation. Such is my misery, that I never could have believed it within the capacity of man to endure. Mina's expedition is lost. Colonel Young, late of the United States' army, and seventy Americans, all of whom were attached to the late United States' army, were taken and shot, with two American officers, the morning after I presented myself. I have had to smuggle this paper, together with the pen and ink, from on board of an American vessel. You will give my love to my brothers and sister, and all of my friends. Farewell!"

"N. B. The following are the names of some of the officers attached to the late U. S. army, who entered in the expedition of Mina, and have been shot.

Col. Young, capt. Cook and Gordon; lieuts. Lanay, Laking, Sutton, Webb, Stone, Sterling, Crocker, Witmore, Beall, Roberts and Wilson.

Lieut. Wm. Riglo, of the U. S. ordnance department, was made a prisoner, and died in my presence at Vera Cruz. Also, a cadet from West Point. His name was Havalaid. There was another cadet taken, who has been shot, by the name of Mackerson."

The Emperor Alexander.

We have been favored by a friend with the following extract of a letter written by a gentleman in Paris, in the year 1801, to Doctor Priestly, on the subject of the education of the Emperor Alexander. It would appear, by this extract, that the emperor has been educated in a republican school.

PARIS, SEPT. 30, 1801.

"The emperor of Russia is a sort of phenomenon in the political world. I have been much and long acquainted with him; not personally, as you may suppose, since he has never left Russia, and I have never entered it; but by private letters, and more particularly by means of the person who educated him from the age of eight years to the time of his marriage. This person is M. de la Harpe, a Swiss, and who was the primary mover of the revolution which has taken place in Switzerland, which the French have since so much dishonored by their conduct. M. de la Harpe was chosen after the cessation of the French authorities, one of their supreme magistrates, under the title of Director; in which place he continued till by his continued opposition to French exaction, Austrian intrigue, and the oligarchical influence, he was compelled to abandon his post, and withdraw into France, where he has been permitted to live tranquilly at his chateau, about two leagues from Paris, cultivating literature and his domain. He had been chosen by the late empress Catherine to educate her grand children, the present emperor and his brother, Constantine, and he was chosen not only as a man of talent, but still more extraordinary, as a republican. Alexander has, therefore, received a thorough republican education, and as he is by his disposition and character a virtuous and exemplary young man, he has well profited by the precepts and instruction of his preceptor. During La Harpe's residence in Switzerland, and after his banish-

ment, and while the prince was under the rule of his dissipated father, they corresponded. The prince's letters are homilies of republican principles, not of extravagant and chimerical projects of reformation, but of wise and well weighed plans of government, such as a philosopher, experienced in revolutions, would have written. His letters, since he is emperor, are confirmations of these principles. "To you, my dear friend," in his last letter of eight pages to La Harpe, about two months since, he says, "I owe every thing I possess. It is from you alone that I have imbibed those principles which shall be the regulators of my conduct, whilst I fill the arduous post which Providence has assigned me. It is impossible for me ever to repay you the immense obligations which I owe; the only recompense I can ever hope to make you, will be by reducing to practise the lessons you have taught, and becoming an instrument of the happiness and liberty of this hitherto ill instructed and ill governed people. If I durst exact any thing more from you, it is to come hither, if your avocations will permit you, to finish the education you have begun. I know the snares by which I am surrounded; I know also my own weakness, but I shall be strong in your strength." La Harpe who had domestic concerns to arrange in Russia, has accepted the invitation, and is by this time in Petersburg, but previous to his reaching him Alexander had begun his plan of reformation, as you will see by his Ukases in the papers; one is the liberty of the press, the other the abolition of slavery. I should betray confidence if I told you how far the emperor means to go; the only thing he must heed is not to go too fast. Before La Harpe's departure we arranged a code of reform, as moderate as republicans could well make. We shall see by this event if all kings and emperors are alike, or whether the flame of liberty which shall burst forth from the north as well as the south, will place between her consuming fires, the remains of despotism in Europe."

Receipt for destroying flies—without the use of poison.—Take a half tea spoonful of black pepper in powder, one tea spoonful of brown sugar, and one table spoonful of cream, mix them well together, and place them in the room on a plate where the flies are troublesome, and they will soon disappear.

FOREIGN AND DOMESTIC SUMMARY.

FOREIGN.

ENGLAND.

Spirit of the times—In a London paper of the 27th April we find the following:

While there are about thirty or forty of the most daring demagogues in safe custody, and while the suspension act remained in force, no direct attempts were made to disturb the tranquillity of the kingdom, by inflammatory appeals to assemblies of the lower classes.

No sooner however, were the former released, and the latter repealed, than we again heard the voice of sedition; and now, as the following notice will prove, we are threatened with another Spa Fields tumult:—

The rights of Britons—A meeting of the disfranchised inhabitants of Middlesex, agreeable to public advertisement, will take place on Mon-

day, May 4, 1818, in *Spa Fields*, at 12 o'clock at noon, to petition the prince regent to take into his consideration the sufferings of the laboring people, the approximating state of all industrious persons (not having entailed property) towards the same condition, and the necessity of some speedy relief founded on the *rights of man*; the advantages which would result from his promoting a parliamentary reform, annual parliaments, universal suffrage, and vote by ballot; for supporting the social and civilized rights of laborers throughout the three kingdoms; from whom proceeds the splendor, luxury, and good, enjoyed by *kings, priests, and nobles*; for using his influence to redress prevailing wrongs, and thereby add to the security of the crown and its glory."

The meeting alluded to took place at the time mentioned. The residents took the precaution to convene the meeting legally, by a requisition addressed to the high sheriff, and signed by seven householders. Preparations for the meeting excited considerable agitation throughout London, and the magistrates convened for the purpose of concerting measures for the preservation of the peace.

The meeting was opened about one o'clock. The principal Speakers were the elder Watson and Preston. Hunt, who had projected the meeting, found it necessary or convenient to take a trip to Cork. When the speeches were finished, a number of resolutions were adopted on the subject of parliamentary reform; and at 5 o'clock, the assemblage, consisting of some two or three thousand, retired without riot.

Alona, April 29—A notice has been issued by our high president, that the commanders of the two British ships that are going out for the purpose of discovering a passage from the Atlantic into the pacific ocean, were ordered (that news might be received from them as often as possible) to throw out bottles from time to time containing an account of the state of the ships, and at the same time a request, drawn up in several European languages, that the finder would send the contents immediately either to his own government, or to the secretary of the admiralty, at London, J. W. Croker, and to add a remark of the time when, and the place where, the bottles were picked up.

In consequence, the captains of vessels and others are ordered, in the name of the royal chancery of the Dutchies of Sleswick, Holstein, and Lauenbourg, if they should find such bottles, immediately to send notice to his majesty's department for foreign affairs, at Copenhagen, or to J. W. Croker, Esq. secretary to the admiralty, at London.

Bank stamp duty—The annual duty paid by country bankers for stamps &c. on notes under £5 is £350,000, and with the addition of notes of and under £5, it is £700,000 per annum.

Alien bill—Lord Castlereagh has offered a motion in Parliament, to extend the Alien Bill for an additional term of two years. This bill gives to the Secretary of State the power of sending out of the kingdom any suspected foreigner, without a legal process.

Exports—The exportation from Liverpool, in the quarter ending the 5th of April last, was:—

Of cotton stuffs, printed and white calicoes, dimities, &c.	29,295,010 yards.
Of cotton thread,	40,162 lbs.
Of cotton twist,	374,877 lbs.

Charity schools.—Fifteen thousand children are educated in Charity Schools in Liverpool. Eight thousand under the patronage of the Church of England, and seven thousand by the dissenters.

Newspapers.—Fifteen daily newspapers are printed in the city of London; seven three times a week, and thirty once a week. The greatest number of one paper is issued from the office of the Observer, that journal prints weekly near eleven thousand copies.

Mr. Canning has again offered himself as a candidate for Liverpool.

Kingdom of Hanover.—An article under the date of Hanover, April 16th remarks, that the importance of the possession of the kingdom of Hanover, and of the restoration of the independence of the Hanseatic cities to Great Britain, appears in a very remarkable manner in the present state of things. The Government of the Netherlands has laid such heavy duties on the transit of English manufactured goods, that it is almost impossible to derive any advantage by letting them come to Germany by way of Holland. This whole trade, therefore, is now attracted to Hamburg, and from that city the productions of the English manufactories are advantageously sent by land, through Hanover to various parts of Germany. Even the Merchants and Factors of Frankfort no longer have their goods from England through Holland upon the Rhine, but have them by land carriage from Hamburg, to avoid the Aetherland duties. At the Brunswick Easter Fair, there was a great sale of English manufactured goods. The report, which has been evidently circulated by design, that the English goods are inferior in quality, in proportion to the low prices, is absolutely unfounded. The Irish linen too begins to find a sale in Germany.

SPAIN.

Latest from Gibraltar.—Under date of May 7th a writer says, "I have the pleasure to announce to you that the measures adopted by our government, in the case of Mr. Meade, have had the desired effect, and that that gentleman was set at liberty three days ago. It exhibits the power and respectability of our country, in compelling to a single act of justice the cruel despot who arrogantly stiles himself the king of the two worlds."

In a letter of the 25th of April our friend observes, "The Russian fleet at Cadiz, upon examination, prove defective—so much so, that they were all condemned, except one, which the Spanish government talk of fitting out."

[W. F. Gazette.]

An article from Hamburg mentions that the king of Spain has recalled his minister, Don Onis, from the United States of America, and appointed the counsellor Serna to succeed him.

ALGIERS.

Constantinople, March 28.—We have received some details here respecting the revolution which took place in Algiers. The new Dey named by the army, having been taken by the Moors, the natives of the country was conducted to their chief, who had seized on the treasures, the magazines, &c. and had carried off every thing to a fort which commanded the town, and where he also had retired. This chief, although half a savage, had the generosity not only to grant him his life, but even to give him several millions of piastres, with two slaves, and contented himself with banishing him to Mahon, where the exiled

Dey has for some time resided. This Dey has determined to come to Constantinople to propose to the Porte to march against the Moorish chief, if they would grant him troops and munitions, to join himself with an army now encamped on the mountains in the vicinity of Algiers, and which only awaits his highness's order to act. It is not yet known what part the Divan will adopt.

The Dey is clothed in a beautiful lace dress, like that of officers in the Turkish marine, but he keeps his legs naked, according to the customs of the Algerines. Under the former Dey he held the title general, commanding a corps in the army.

HAWTI.

Commodore Aury. Reports from Jamaica state, that Com. AURY, of Amelia island memory, made a landing with his followers at Samana, [probably on the St. Domingo side of the Samana channel] early in May, and had proceeded to Palanque bay, near the city of St. Domingo, where he had established his H. Q.;—and that the Spanish forces in that city were marching to meet him. The city contains 30,000 inhabitants, Spaniards, Mestizoes, Mulattoes, and Abbatraces—and is well defended by batteries.

The Jamaica papers complain bitterly, that admiral Sir HOME POPHAM, commanding there, recently received a black and mulatto deputation from St. Domingo, invited them to dinner, and at dinner placed Lady POPHAM between two of these blackmen.—Nay, even sent his carriage, with white servants to convey and reconvey them to the water side. They then add, that "the just indignation of the people of Jamaica, insulted by this outrage on their sentiments, interests, and safety, will reach Sir Home through another channel."

CHILI.

(Translation.)

Extract of a letter from the acting director of Chili to a gentleman in Baltimore.

Santiago de Chili, Feb. 7, 1818.

"MUCH ESTEEMED SIR,

"Last night I had the pleasure of listening to the perusal of the letter you wrote to our general San Martin, on the 18th October, wherein you mention * * * * and other incidents, which, I confess, have given me so much pleasure that I think to have found in you the protector I wished so much for, to foment and complete our longed for liberty.

"The principal director of this state is in the south, commanding the army which laid siege to the city of Talcahuano, from which place he has withdrawn to the interior, with the view of affording more room to the enemy, and by cutting off their retreat, to conclude the war in this country.

"The presence of the principal director being necessary in the army, he has been obliged to entrust me with the supreme government of Chili.

"The revolution of Chili, since its restoration by the troops under general San Martin, has taken a standing which it would be difficult to describe to you in a letter. It is impossible to have an idea of it but by seeing and touching it. This state has an army completely disciplined of more than 11,000 troops of the line, well armed, with ammunition to carry on an active war for a long time, and with supplies in the arsenals worth more than \$400,000. The army is divided into two corps, and placed at different places. One

commanded by general San Martin, is in the Talabas in the vicinity of Valparaiso and coast of St. Anthony, where we are threatened by an expedition from Lima of 3000 men. The corps of the director O'Higgins, is on the borders of the Maule. Both wait the arrival of the enemy with extraordinary enthusiasm, and the officers vie with the good generals that command them.

"For your better information, I take the liberty of remitting to you a collection of newspapers herein enclosed, in which we refrain from publishing many things, which it would not be convenient should come to the knowledge of the enemy, although they would do us great credit in the eyes of other nations.

"Be assured, my esteemed countryman, that in a short time I hope to have the satisfaction of conveying to you the delightful news of a battle similar to that of the 12th February of last year in Chacabuco.

"Next anniversary day of our Independence shall be published, and by the first opportunity I shall remit you the act and promulgation of it, with other public papers, which you will use as you may think proper.

"I am happy to have found this opportunity of offering myself to your disposal, as your most humble and obedient servant.

"LOUIS DE LA CRUZ."

CANADA.

Curious facts.—Quebec, June 8.—During the late warm weather the St. Lawrence, at Cape Chat, was nearly closed up with ice, and the mountains and highlands in that quarter, on both sides of the river, were covered with snow. Indians come in from a hunting excursion, only about 40 miles to the northward of Quebec, report that on the 1st inst. the winter's snow was still lying in the woods, and not a bud had appeared on the trees, which, in this neighborhood, were in leaf on the 20th May.

DOMESTIC.

MASSACHUSETTS.

Revolutionary Pensions.—"Judge Bangs, of Worcester, has given notice to the applicants for the pension, granted by the late law to the officers and soldiers of the revolution, that he has received from the pension office at Washington, eighty-five certificates—that eighty-six applications are returned for further evidence, and that thirty-two are returned "as absolutely inadmissible." Of these last, nineteen are rejected, because the service was not for nine months, at one time—five, because the service was not on the continental establishment—six, because the applicants are marked on the rolls as having deserted—one, because he belonged to the commissary's department, which is not provided for in the law,—and one because it appears that his commission has been altered. Four applications are returned for correction—three are suspended for further examination—and forty-one are not noticed in the return, probably not having been acted upon. It seems therefore that there have been 251 applications for this pension from the county of Worcester."

Deaf and Dumb.—The legislature of Massachusetts, at its late session, passed a resolution, authorizing the governor to send to the Hartford asylum, at the expense of the state, any persons who are deaf and dumb, and too poor to pay for their education.

Boston, June 20.—Colonel Henry Sargent, aide-camp to the commander in chief, is appointed to accompany general Miller to Eastport, to witness the surrender of Moose Island, &c. to the United States and this commonwealth. Lieut. Allison, of the United States' army, accompanies the commission as secretary.

NEW YORK.

Heligoland bean.—The Agricultural Society of New York have received from England samples of the *Heligoland bean* and *Talavera wheat*, which are said to be of extraordinary prolific quality, and as suited to our climate. The beans will yield from 64 to 80 bushels per acre, and the wheat will average 33 bushels to the acre.

Singular fact.—The following singular fact is stated in the *Troy Gazette* of the 16th inst. "A cow and her calf were crossing the ferry at this city a few days since, when the cow jumped overboard—the calf immediately followed, and seized its dam by the ear, and did not leave its hold until both were safely landed, after swimming more than a quarter of a mile.

Members elect to the 16th Congress.—We are indebted to the *Albany Argus* for the following accurate list of the representatives elect to the 16th congress, the term of whose service commences on the 4th of March next. The politics of the members are not distinguished; but it is probable that three fourths of those elected are republicans. Those in *Italic* only are members of the present congress, and have been re-elected:

Members of congress, elected from the state of New York, to the 16th congress.

- 1st district, Messrs. Wool and Garreston
- 2d, Messrs. *Wendover* and Meigs
- 3d, *Caleb Tompkins*
- 4th, *Randall S. Street*
- 5th, *William Strong*
- 6th, *Walter Case*
- 7th, *Jacob H. De Witt*
- 8th, *Robert Clark*
- 9th, *Solomon Van Rensselaer*
- 10th, *John D. Dickson*
- 11th, *John W. Taylor*
- 12th, *Nathaniel Pitcher*, *Ezra C. Cross*
- 13th, *Hermands Peck*
- 14th, *John Fay*
- 15th, Messrs. *Monell* and *Lyman*
- 16th, *Henry R. Storrs*
- 17th, *Aaron Hackley, jun.*
- 18th, *William D. Ford*
- 19th, *George Hall*
- 20th, *Jonathan Titchmond*, *Caleb Baker*
- 21st, *Nathaniel Allen*, *Albert H. Tracy*

MARYLAND.

Colonel George E. Mitchell has taken command of the fourth military department, and established his head quarters in Baltimore.

Cumberland Road.—The commissioners for locating the route for the turnpike road from the west side of the Conococheague to Cumberland, have completed the location, after about 4 weeks arduous labor. They have succeeded, we understand, in obtaining a pretty good route of fifty-seven and a half miles from the Creek of Cumberland, being about four miles less than the route of the old road. The distance from Hagerstown to Cumberland, agreeably to the late locations, will be sixty-four and a half miles. Contracts have been entered into for completing the turnpike from the Conococheague to Cumberland

by the 1st January, 1822; and the road from this place to Conococheague will be completed by the fall of 1819. We understand that the United States' turnpike from Cumberland to Union Town, Pa. will be completed the ensuing summer, and it is calculated that it will be completed between Uniontown and Wheeling by the fall of 1821, or spring of '22. Thus, a little more than three years hence we shall have a turnpike from Wheeling to Baltimore (with the exception of eleven miles between Hagarstown and Boonsborough) of two hundred and eighty two miles—one hundred and twenty-seven of which will be free. Exclusive however of the road to Baltimore, via Boonsborough and Feedericktown, a turnpike is at present progressing from Baltimore through Westminster to this place, which, when completed, and which will probably be accomplished by 1822, will open a route from Hagarstown to Baltimore of sixty-eight miles, three miles less than the route via Fredericktown. In the event of the completion of the last mentioned road by 1822, there will then be a complete turnpike from Baltimore to Wheeling, a distance of two hundred and seventy-nine miles. It is also in contemplation to open a turnpike from Gettysburg to this place—in fact a law has passed the legislature of Pennsylvania constituting a company to open a turnpike from Gettysburg to the division line between the two states; and little doubt can be entertained but the legislature of this state will feel every disposition to further the laudable wishes of our neighbors in this respect. The turnpike from this place to Gettysburg once completed, and there will be a direct turnpike communication from Philadelphia, via Hagarstown, to Wheeling, a distance of three hundred and thirty-three miles; for we understand the turnpike from Gettysburg to Philadelphia is progressing rapidly. The distance from Baltimore to Brownsville, the first navigable point at which this road touches, is two hundred and twenty-four miles. [*Torch Light.*]

SOUTH CAROLINA.

Rats.—We learn (says the Charleston Courier) that the rice fields in Charleston district have been assailed within the last few weeks by a new and heretofore unknown enemy—the *rats*—who have made serious inroads upon this important staple of our country in its infant state. It appears that they have taken up their habitations in the adjacent banks, from whence they sally out at night, and commit the most destructive ravages. No effectual expedient has yet been devised for destroying them. It is said they are so numerous in some fields, that thirty have been destroyed by the single discharge of a musket!

Exports from Charleston—of cotton, rice and tobacco, from the 1st October, 1817, to 31st May, 1818.

	Cotton. bales.	Rice. tierces.	Tob. hhd.
To Great Britain,	9358	39571	11672
France,	691	7528	8494
The rest of Europe,	28	2708	21001
West Indies,			8475
Coastwise,	6138	13144	255
Total	1069	55945	62786

GEORGIA.

Water for Ships.—The Savannah Republican has recently published the following communica-

tion, addressed to merchants and masters of vessels. We give it publicity in the Register.

The writer admonishes them "to water their ships from the wells instead of the river, and enjoin upon their crews to forbear drinking the water of the river while in port, in the warm months.

"The water of the river is so charged with vegetable and other foreign matter as to require a process of purification (in hot weather) to be salutary.

"To prove the importance of this injunction, the passengers and crews of vessels leaving this port in the warm months, with water from the river, very frequently become sickly before they reach their destination, and many are lost by fevers at sea, and the vessels subjected to quarantine on their arrival at foreign ports, while those who have been supplied with pump water exclusively, and whose crews have refrained from drinking the water of the river while in port, have seldom a sick person at sea. So persuaded are some owners of vessels frequenting our port at this season of its importance, that they lay the captains under the most solemn injunctions to observe those precautions, and have been rewarded by the entire healthiness of all on board. A fact of this sort is worth noticing; and perhaps it would be useful to continue these hints for a time in the different papers of the city.

"A SUBSCRIBER."

Exports from Savannah—of cotton, rice and tobacco, from the 1st October, 1817, to the 31st May, 1818.

	Cotton. S. Is. bales.	Upl'd. bales.	Rice. tierces.	Toba. hhd.
To Liverpool,	3915	48304	2538	127
London,		960		
Greenock,	1659	3950	307	50
Antwerp,		294	36	59
Havre,	858	9088	2993	457
Bordeaux,	281	606	250	25
Nantz,	1	761	524	
Gottenburg,		31	40	195
Rouen,		527	20	
St. Petersburg,		501	222	96
Rotterdam,			222	102
Gibraltar,			81	109
Amsterdam,		50	1058	493
Hamburg,		307	600	400
Falmouth,		40	1215	30
Cork & a market,		651	553	
Madeira,			211	
West Indies,			2551	207
Coastwise,		22325	1974	892
Total,	6461	89375	15395	3242

TENNESSEE.

Indian War—The following is an extract of a letter from Major Gen. Andrew Jackson to a gentleman in Nashville, and published in the *Clarion*, dated

"Camp, before St. Marks, 2
9th April, 1818.

"On the 26th ultimo, I marched from Fort Gadsden into the heart of the enemy's country. On the first instant I was reinforced by some friendly Indians and two battalions of Tennessee volunteers, under Col. Elliott, arriving within a mile and a half of Muckasuky town, I discovered the Indians posted on an advantageous point

of land, with a large pond in their front, and secured in the rear by woods and swamps. The spy companies, supported by the horse, were ordered forward, and a short and spirited conflict ensued: the Indians soon gave way and were pursued through their towns. The three succeeding days we employed in scouring their country, burning their towns, and securing their corn and cattle, of which we found great abundance; upwards of three hundred houses have been consumed. I have to regret the loss of one man killed (Tucker) and four wounded, (from Tennessee,) of the Indians thirty were killed and four were made prisoners; sixty men, women and children of the war party have surrendered. The *great war chief* of the Muckasukees is among the slain.

"In the Muckasuky town we discovered evidences of hostility for many years; upwards of three hundred scalps were found; about fifty were found suspended on a painted war pole on the square, fresh, and of every description, from the tender infant to the aged mother.

"Apprehending that the enemy might attempt to occupy St. Mark, learning that they were kindly received there, and discovering that it would prove an advantageous depot for my supplies, I marched for and reached it on the 6th.

"On my arrival, several communications passed between myself and the commandant; when, to bring matters to a close, delay being evidently designed, I ordered the light companies to advance and take possession, and captain M'Ever to assume a position in the rear, while general Gaines was instructed to hold his brigade in readiness to act, if resistance should be attempted: none, however, was made, and the light companies entered, possessed themselves of the fort, and pulled down the flag. Capt. M'Ever having hoisted English colors on board his boats, Francis the prophet, Hoomotchemuco, and two others, were decoyed on board; believing him to be the promised and daily expected aid from New Providence, under the command of Woodbine. These have been hung to day. To-morrow I march for Suwanne, where I hope to put an end to the war. I have no time to do more than to give you a faint view of things as they are. I have been forced to encounter many privations; but they have been surmounted."

LOUISIANA.

Galvezton Establishment—The following is an extract of a letter from Opelousas, of the 10th of May:

"The establishment at Galvezton increases rapidly; detachments to join the main army are marched openly through the country. Pirates and others carry on trade with the inhabitants openly, exchanging goods of all kinds for money and provisions. They have several vessels on the rivers Calas and Mermeuta. A few days ago, a man in this country raised about 12 men, and went out to one of the trading places, and, assuming the character of a custom house officer, seized a vessel and a quantity of goods; she lay on the west side of the river Calas; they brought her to the east side and there discharged the cargo; and, whilst in the act of dividing the plunder, were surprised by a party from Galvezton, under the command of — who captured the *sham* custom

house officer and some of his party; after flogging them severely, sent them home and loaded the goods again on board the schooner. This letter you may use as you please, as every American must feel mortified to see the laws of the country thus trampled upon."

New Orleans May 12—Letters have been received in town to the 1st inst. from Fort Montgomery, which state that a small party of United States troops, under the command of Lieut. Enor, whilst ascending the Escambia with provisions, were attacked with a sudden and unexpected volley of small arms from a body of Indians, by which one of the soldiers was killed and two severely wounded. As soon as intelligence of this event reached Fort Montgomery, Major W. Youngs put himself at the head of a detachment amounting to 74 men, comprehending regulars, militia and Indians, and set off in quest of the enemy. In the vicinity of Bayou Texar, he encountered and routed them, with the loss on his side of only one soldier killed. That of the enemy in killed, wounded, and prisoners, was 30: the remainder, to the number of 87, sued for peace, and they were sent to the interior of the Creek nation. Bayou Texar is not laid down on any map that we are acquainted with. We believe it flows from the east into the bay of Escambia.

OHIO.

Bank blessing.—The Niagara Journal has the following notice: "The Commercial Bank of Lake Erie, at Cleaveland, Ohio, has refused to pay in specie a draft made by the United States, Branch Bank at Pittsburgh. The directors of the former bank have published a manifesto, in which they declare their ability to redeem their bills, and their willingness to pay any drafts that might be made by individuals or other banks, in the course of business; but drafts made by the United States' Banks they would not pay, alleging that they are made for unjust and oppressive objects. The directors in their report say, that 'there is little reason to doubt that some of the heads of department of the national government favor, or at least connive at, this unjust and oppressive speculation of the United States' Bank.' There may be some truth in this assertion, which requires a fair investigation. If correct, it calls seriously on the state legislatures to lay a heavy hand on the branches that are established in the different states."

KENTUCKY.

Manganese.—This useful mineral, has recently been discovered on big Sandy river, in the vicinity of Greenupsburg, Ky. where it is said to exist in great abundance, and judging from the external character of a sample in my possession, I am led to think it is of a quality no way inferior to that of foreign production.

Manganese is a heavy, black, metallic substance, resembling in the more perfect specimens *pot metal*, and soiling the fingers like soot. It is employed in the arts by the bleacher, potter, and glass-maker, and for the purposes of experiment in the laboratory of the chemist.—By the bleacher it is used in the preparation of *oxymuriatic acid* according to the method of bleaching now universally pursued. By the potter it is employed in communicating a black glazing to the common ware. By the glass-maker for depriving vitrescent mixtures of the green hue given by iron, and occasionally as a

colouring ingredient; and by the chemist for procuring *oxygen gas*, which substance it yields in great abundance. Its importance as an item in the catalogue of useful minerals afforded by the United States is therefore considerable; and it may be regarded as an advantageous discovery in a country which has hitherto been supplied with this article, exclusively, by Great Britain, imported either directly from the Island of Britain or from her dependencies in Nova Scotia.

[*Louisville Herald.*]

Jackson at Pensacola.—Upon the authority of private letters, the *Intelligencer* has stated that general Jackson had taken forcible possession of Pensacola. Though nearly a week has elapsed since that information was given, yet we learn that no official information has been received at the war department from him. If we had any disposition to doubt the fact stated, we should find some reason for so doing in that circumstance. For if general Jackson acted upon the authority of instructions, he would undoubtedly have made an early report to the secretary of war; and we think too highly of general Jackson's military and legal knowledge, to suppose he would take so important a step without positive or implied instructions. The *Intelligencer*, in remarking upon this subject, says, "If the Indians in arms against us, led the way to Pensacola, there can be no doubt of general Jackson's being justified in following and dislodging them."

A rumor is in circulation, which is so construed as to confirm the fact of general Jackson's movement. An express is said to have reached this city some days since, from the authorities of Florida to the Spanish minister, DON OTIS, and to have proceeded immediately to Philadelphia, at or near which place the Spanish minister is now on a visit.

The following instructions to general Gaines, are the only ones we have seen published. It is possible others may have been issued.

Department of War, 16th Dec. 1817.

SIR—On the receipt of this letter, should the Seminole Indians still refuse to make reparation for their outrages and depredations on the citizens of the United States, it is the wish of the president that you consider yourself at liberty to march across the Florida line, and to attack them within its limits, should it be found necessary, unless they should shelter themselves under a Spanish post. In the last event, you will immediately notify this department.

I have the honor to be, &c.

J. C. CALHOUN.

General Edmund P. Gaines,
Fort Scott, Georgia.

Important from South America. We extract the following from the *Baltimore Patriot* of Thursday: By the arrival at this port yesterday of the ship Woodrop Sims, Capt. Jenkins, in the short pas-

sage of 55 days from Buenos Ayres, we have received papers of that city to the 22d April, containing a detail of the proceedings of the patriot and royal armies in Chili, the former commanded by SAN MARTIN, the latter by Gen. OSORIO; by which it appears, that the royal forces in that country have suffered a disastrous defeat, and are almost totally annihilated. Previous to which, however, SAN MARTIN met with a reverse, and retreated 80 leagues, when, having secured the co-operation of all his forces, he gave the enemy battle, which resulted in the most decisive victory. Gen. OROZCO, and the Chief of the staff, RIVERA, are in his hands, and nearly all the officers were either killed or taken prisoners; only 200 of the whole army escaped. The force of the patriots was 4,900—That of the royalists 5,300.

In consequence of this victory the city of Buenos Ayres was illuminated for three nights, and public demonstrations of joy were manifested on the occasion. *Te Deums* were sung in the churches, and the name of San Martin was celebrated with respect and veneration.

The official dispatch, communicating the details of this important event follows.

The frigate Congress was to sail from Buenos Ayres about the 1st of May.

[*Translated for the Baltimore Patriot.*]

GAZETTE OF BUENOS AYRES, WEDNESDAY, 22d
APRIL, 1818.

DETAIL OF THE BATTLE OF MAIPU.

Despatch from his excellency, the captain general of the Andes, to the supreme government.

MOST EXCELLENT SIR—The unexpected event of the night of the 19th ult in the Cancha Rayada, put in jeopardy the liberty of Chili. It was, indeed, a frightful scene, to see the dispersion of an army, composed of valient men, full of discipline and instruction, without being beaten.

Since I opened the campaign I have been so gratified that I looked on victory as certain, and all my movements were always directed to have it complete and decisive. The enemy, since he abandoned Curico, did not find any position capable of preventing our forces from molesting him in his flanks, and threatening to turn him. Accordingly, both armies fell together, on the 19th, upon Talca, making it impossible to undertake a retreat, or cross over the river Maule.

This situation, the most desperate, became, by an accident, the most favorable. Our columns of infantry did not reach us until sunset, and at that hour it became impossible to undertake an attack on the town. The army was then formed provisionally into two lines, whilst we were reconnoitering for the most advantageous position that it could be placed in, which having selected, I ordered the right wing to occupy it; but this movement was badly executed, and the left was beginning to follow it, when a most brisk and desperate attack from the enemy, put in total confusion our baggage and artillery, which were then moving. It was then 9 o'clock, P. M. and this confusion was soon followed by the dispersion of our left, after a brisk firing, which lasted half an hour, in which the enemy suffered great loss, and ourselves had the misfortune to see the brave general O'Higgins wounded.

Myself, with all the other chiefs and officers, employed all our efforts to rally them, which at first was effected under the protection of the reserve. Here one of the most obstinate engagements

again took place, but the night rendered all our measures unavailing, and at last we had no other resource but to give way.

Our right had not been much harassed, and colonel Las Heras had the glory of conducting and withdrawing in good order the corps of infantry and artillery that composed it. This was the only support that remained to us on my arrival at Chimbarougo. I then pursued every effectual means to effect a reunion on the neck of Regulemu. The H. Q. were placed at San Fernando.

Here I remained two days, and I can assure your excellency our situation was a most embarrassing one. We had lost all the baggage and materials of the army; destitute of every thing, we wanted every thing, in order to oppose an enemy superior in numbers, and elated with victory. In this situation, I found no other expedient but to fall back on Santiago, and procure every possible assistance to accomplish the salvation of the country.

It is surpassing belief to say, that in the course of three days the army was re-organized in the field of Instruction, one league distant from the city. The spirits of the soldiers were regained, and in thirteen days after our defeat, and a retreat of eighty leagues, we found ourselves in a situation to meet the enemy. The interest, energy, and firmness, with which the chiefs and all the officers of the army co-operate to establish order and discipline, will redound to their eternal honor. It is true that our forces were inferior to those of the enemy. Many of our corps were mere skeletons, and we had battalions composed of only 200 men.

In the mean time the enemy was advancing with rapidity, and on the 1st inst. I had positive information that the main part of the army had crossed the Maupiu, by the forks of Longuenen, & directed their march towards the defiles la Cebra.

The position of our encampment was neither secure or military. On the 2d we encamped on the Espejo. That day, and on the 3d and 4th, our guerrillas had much firing, and the army passed all those nights under arms.

The enemy approached us at last on the 5th. All his movements appeared directed to turn our right, threaten the capital, cut off our communication with Acucagua, and secure to himself the communication with Valparaiso.

When I observed that he had for his object the accomplishment of this movement, I considered that a favorable opportunity to attack him on his march, and place myself in his front, by means of a change of direction on the right. This was the preparation to all the posterior operations.

I immediately placed all the infantry under the command of the well deserving brigadier general Balcarce; the right under the colonel Las Heras; the left under the lieutenant colonel Don Hilarión de la Quintana; the cavalry of the right under col. Marias Zapiola, with his squadrons of grenadiers; and that of the left under colonel Don Ramon Freyre, with his squadrons of the guard of his excellency the director of Chili, and the chasseurs of the Andes.

The enemy, having perceived our first movement, took a strong position, detaching to a small hill a battalion of chasseurs to support a battery of four pieces placed at this point. This disposition was well chosen, as it completely secured their left, and their fires flanked and beat all the front of the position.

Our line, formed in close and parallel columns, inclined on the right of the enemy, presenting an oblique attack on his flank, which was uncovered. The reserve charging also upon the same, was in the attitude of turning it and supporting our right. The battery of eight pieces of Chili, commanded by commandant Blanco Ciceron, and another of four pieces, under commandant Plaza, were advantageously placed, and played with success upon the enemy's position.

In this situation, our columns began to move from the skirts of the small hill which formed our position to march to charge the enemy's line, who then commenced a most stupendous fire, but did not succeed in stopping our march. His flank battery on the hill did us great injury; at the same time a heavy mass of enemy's cavalry, situated in the interval, came to charge the horse grenadiers, who, being formed in columns by squadrons, were advancing on us in front. The first squadron was commanded by Escalada, who, seeing himself threatened by the enemy, marched immediately upon him, sword in hand. The commandant Medina, followed this movement. The firing also commenced from our left, and soon the whole line was engaged, as well as the reserve, which came up at the moment the vigor of our line began to droop. But the charge made by the reserve and by the commandant Tonson, of the 1st regiment of Coquimbo, gave a new impulse to our line, which fell upon the enemy with more spirit than ever. It may be said that hardly a brisker attack has been witnessed, nor a more vigorous and obstinate resistance. The constancy of our soldiers and their heroic force triumphed at last, and the enemy was put completely to the rout.

The general in chief, Osorio, escaped with only about 200 horsemen. It is probable he will be taken by the cavalry that pursues him. All his generals are prisoners in our possession. The number of the prisoners is 3,000, and 190 officers, with the greater part of the chiefs of the corps. The field of battle is covered with 2,000 killed. All his artillery, parks, hospitals, with the surgeons, military chest—in a word, every thing composing the royal army is dead, prisoner, or in our possession. I compute our loss at 1000 killed and wounded. The force of the enemy, of all descriptions, was 5,300, and ours 4,900.

[The despatch concludes, by recommending several officers to the consideration of government.] Headquarters, Santiago, 9th Apr. 1818.

JOSE DE SAN MARTIN.

The present number completes the 5th volume of the *National Register*. We take this opportunity to tender our thanks to those gentlemen who have favored us with their patronage, and have punctually afforded their portion of the "needful." We also beg our friends who have acted as agents for the Register, and have duly made their returns, to accept of this expression of our obligation and thanks. To those gentlemen who are in arrears, we will merely hint that a little of the "ready," will lighten much our cares, and enable us to go on our way with cheerfulness. The importance of this, we presume, will be readily perceived and acted on. We again repeat that remittances may be made direct by mail.

END OF VOL. V.

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Due to mutilations on pages 399-400,
issue 25 (June 20, 1818) is repeated
at the end of the volume.

THE NATIONAL REGISTER.

No. 2. VOL. V.]

WASHINGTON CITY, JUNE 20, 1818.

[VOL. I. FOR 1818

PUBLISHED EVERY SATURDAY, BY JOEL K. MEAD, AT FIVE DOLLARS PER ANNUM.

FOR THE NATIONAL REGISTER.

[Supplementary Fragment, continued from page 306.]

But a very short time had elapsed before the wisdom of the policy adopted by Charilaus, relative to the disputes of his neighbors, was fully evinced, and ample ground of satisfaction was afforded by the course of measures his decision had necessitated them to pursue, for the attainment of their respective objects. His decision being made known to the two governments, or rather to those in authority, in these tribes, by the ambassadors, who had, upon their return, duly reported the result of their late mission to Charilaus, and who had not, in their report, failed to state the true reasons upon which the refusal of the co-operation had been explicitly and candidly set forth to them, the force and cogency, truth and correctness of which, so impressed itself upon their minds, that, notwithstanding their passions and prejudices, were strong, and in full exercise against each other, they felt a conviction, arising from the consciousness of their errors, that Charilaus was still in the right, and that the only resource now left them, for the final adjustment of their differences, was that of the establishment of a standard, to which their views and wishes might be referred, and to which they might easily conform themselves, by mutual concessions, and a reciprocal abandonment of such pretensions, as should be found, upon scrutiny, to be untenable, from the viciousness of their character, or their deviation from justice. And, as it was possible, said they, among themselves, that our principles and interests were sustained by him, whose wisdom and prudence we have never had but just reasons for admiring: have we so conducted our disputes, as to have exposed ourselves to all the severity of the observations Charilaus made before his council, when giving his reasons for declining all interference in our quarrels? Is it true that personal aggrandizement alone, has actuated us? Have we had so little of the Christian spirit about us, as not to stop at any measures, or the commission of any crimes, provided our opponents were the victims? Have we published oblivion to the past, and pardon to all those heretofore in opposition to us, who would surrender themselves into our hands? And what has been our treatment of them, when their credulity has led them to place confidence in those assurances? Have we comported ourselves in this dispute as if we were contending against men, subject to the same errors and frail-

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ties as ourselves, or have we been so blind to our own natures as never once to reflect that we were also human, and therefore as liable to err as they? besides, what are the evidences we have yet furnished, that would lead to the belief, if the simplest success attended us, that we should make others more happy, by bringing them under our dominion, than we ourselves should be, if they succeeded against us. Many years have passed away, and great has been the expenditure of human lives. We have destroyed numbers of those who have opposed us, and have lost many, very many valuable men and fellow citizens by their hands; but are we not of the same origin; have we not one common ancestry? Is not our religion the same? Do we not address the same Supreme Being, when praying for the success of our arms, and our respective causes? And further, let us inquire what are our actual feelings and sentiments upon this slight self-investigation. Are we satisfied with it? Do our consciences respond to these inquiries, in the same pleasing and agreeable manner, as after the completion of a cardinal duty, or the performance of an honest action? Let us answer to ourselves as frankly as we were candidly led to the investigation. And must we not say that Charilaus was right; if so, let us come forward manfully, and nobly tell our opponents, that, while we have seen; what we conceive to be their errors, we are not blind to our own faults, and that, to put an end to the slaughtering of each other, and check the progress of the misery attendant upon the further prosecution of our conflicting views and interests, we are disposed to meet them with a spirit of reconciliation, for the purpose of amicably adjusting the points at issue between us; that, if similar wishes are entertained on their part, whatever may be the magnitude of the obstacles, apparently in opposition to the opening of the discussions requisite for the establishment of the preliminaries of so eventful an undertaking, that they would be found to decrease, in proportion to the degree of good will, earnest fidelity, and good faith, which should be mutually brought into exercise; and that, in anticipation of the question, as to the place at which it would be proposed to fix the meeting of those persons who should be selected for the object; a proposition is tendered that the offer of the decision of this point, should be made to their neighbor, Charilaus, for whom they had both manifested their esteem, in the late unsuccessful overture to him, accompanied with the declaration of their joint wish that such

a position might be fixed upon, as would fall within his own territory and jurisdiction.

"Habere facias visum."

PEREGRINE.

From the Newark (N. J.) Messenger.

MR. WARD,

A gentleman had in his garden an elliptical pond, whose axes are to one another as 3 to 4, and was desirous to enclose it with a walk 6 feet broad, whose area shall be one fourth the area of the pond, required the length and breadth of the pond?

PHILO MATHEMATICUS.

A solution of the above is requested.

The above was handed to Mr. Wm. Lambert, a scientific gentleman in this city, who has obligingly communicated the following solution.—We are also indebted to the same gentleman for the table showing the Golden Number, Epact, Dominical Letter, and Easter Sunday, for the remainder of the present century.

	Feet.	F. I. Dec.
Length of the pond,	59.2416 or 59 2.8992	
Breadth,	44.4312 or 44 5.1744	

	Feet.	Dec.
Area of the pond,	2067.30	
Area of the walk,	516.82	

The ratio adopted by Adrian Metius has been used in the solution of this question.

A TABLE

Of the days on which Easter Sunday will fall, from the year 1818 to 1899, inclusive.

Years.	Golden No.	Epact.	Dom. Letter.	Easter Sun
1818	14	23	D	March 22
1819	15	4	C	April 11
1820	16	15	BA	2
1821	17	26	G	22
1822	18	7	F	7
1823	19	18	E	March 30
1824	1	0	DC	April 18
1825	2	11	B	3
1826	3	22	A	March 26
1827	4	3	G	April 15
1828	5	14	FE	6
1829	6	25	D	19
1830	7	6	C	11
1831	8	17	B	3
1832	9	28	AG	22
1833	10	9	F	7
1834	11	20	E	March 30
1835	12	1	D	April 19
1836	13	12	CB	3
1837	14	23	A	March 26
1838	15	4	G	April 15
1839	16	15	F	March 31
1840	17	26	ED	April 19
1841	18	7	C	11
1842	19	18	B	March 27
1843	1	0	A	April 16
1844	2	11	GF	7
1845	3	22	E	March 23
1846	4	3	D	April 12
1847	5	14	C	4
1848	6	25	BA	23
1849	7	6	G	8

Years.	Golden No.	Epact.	Dom. Letter.	Easter Sun.
1850	8	17	F	March 31
1851	9	28	E	April 20
1852	10	9	DC	11
1853	11	20	B	March 27
1854	12	1	A	April 16
1855	13	12	G	8
1856	14	23	FE	March 23
1857	15	4	D	April 12
1858	16	15	C	4
1859	17	26	B	24
1860	18	7	AG	8
1861	19	18	F	March 31
1862	1	0	E	April 20
1863	2	11	D	5
1864	3	22	CB	March 27
1865	4	3	A	April 16
1866	5	14	G	21
1867	6	25	F	12
1868	7	6	ED	13
1869	8	17	C	March 28
1870	9	28	B	April 17
1871	10	9	A	9
1872	11	20	GF	March 31
1873	12	1	E	April 13
1874	13	12	D	5
1875	14	23	C	March 28
1876	15	4	BA	April 16
1877	16	15	G	1
1878	17	26	F	21
1879	18	7	E	13
1880	19	18	DC	March 28
1881	1	0	B	April 17
1882	2	11	A	9
1883	3	22	G	March 25
1884	4	3	FE	April 13
1885	5	14	D	5
1886	6	25	C	25
1887	7	6	B	10
1888	8	17	AG	1
1889	9	28	F	21
1890	10	9	E	6
1891	11	20	D	March 29
1892	12	1	CB	April 17
1893	13	12	A	2
1894	14	23	G	March 25
1895	15	4	F	April 14
1896	16	15	ED	5
1897	17	26	B	10
1898	18	7	A	15
1899	19	18	A	2

Generals Jackson and Scott.—The New York National Advocate, in republishing a paragraph from the Savannah Republican respecting a dispute between generals Jackson and Scott, (see our last No. page 383,) accompanied it with a statement in substance as follows: That general Scott, at a party, and to only one person, expressed an opinion unfavorable to the manner and spirit of general Jackson's celebrated general order, (see Nat. Reg. vol. 4, page 15,) as being calculated to create insubordination; and without any intention that his opinion should reach the ears of gen. Jackson. This opinion of gen. Scott's was however communicated to gen. J. in an anonymous letter, whose extreme impetuosity and irritability set his temper on fire at the supposed

insult, and a warm correspondence between the parties ensued, which, says the Advocate, we trust will be amicably adjusted.

LETTERS TO MR. WIRT.

The following letters, of the venerable JOHN ADAMS, to WILLIAM WIRT, Esquire, on the subject of his life of Patrick Henry, throws some new light on the early dawn of the revolution. The vigor of Mr. Adams' mind seems not to be much impaired, notwithstanding his great age, being, we believe, 83 or 84 years old. These letters having found their way into the newspapers, we give them to our readers:

Quincy, January 5, 1818.

SIR,—Your sketches of the life of Mr. Henry have given me a rich entertainment. I will not compare them to the Sybil, conducting Eneas to see the ghosts of departed sages and heroes in the regions below; but to an angel conveying me to the abodes of the blessed on high to converse with the spirits of just men made perfect. The names of Henry, Lee, Bland, Pendleton, Washington, Rutledge, Dickinson, Wythe, and many others, will ever thrill through my veins with an agreeable sensation. I am not about to make any critical remarks upon your work at present. But, sir,

Erant heroes ante Agamemnona multi,
Or, not to garble Horace,

Vixere fortes ante Agamemnona
Multi: sed omnes illacrymabiles
Urgentur, ignotique longa
Nocte, carent quia vate sacro.

If I could go back to the age of thirty-five, Mr. Wirt, I would endeavor to become your rival—not in elegance of composition, but in a simple narration of facts, supported by records, histories and testimonies, of irrefragable authority. I would adopt, in all its modesty, your title, "Sketches of the life and writings of James Otis, of Boston." And, in imitation of your example, I would introduce portraits of a long catalogue of illustrious men, in favor of it or against it.

Jeremiah Gridley, the father of the bar in Boston, and the preceptor of Pratt, Otis, Thatcher, Cushing, and many others; Benjamin Pratt, chief justice of New York; colonel John Tynge, James Otis, of Boston, the hero of the biography; Oxenbridge Thatcher, Jonathan Sewall, attorney general and judge of admiralty; Samuel Quincy, solicitor general; Daniel Lenard, now chief justice of Bermuda; Josiah Quincy, the Boston Cicero; Richard Dana, and Francis Dana, his son, first minister to Russia, and afterwards chief justice; Jonathan Mayhew, D. D. Samuel Cooper, D. D. Charles Chauncey, D. D. James Warren and his wife; Joseph Warren, of Bunker's Hill; John Winthrop, professor at Harvard college and a member of council; Samuel Dexter, the father; John Worthington, of Springfield; Jos. Hawley, of North Hampton, and James Lovel, of Boston; governors Shirley, Pownall, Bernard, Hutchinson, Hancock, Bowdoin, Adams, Sullivan and Gerry; Lieut. governor Oliver, chief justice Oliver, judge Edmund Trowbridge, judge William Cushing, and Timothy Ruggles, ought not to be omitted. The military characters Ward, Lincoln, Warren,

Knox, Brooks, Heath, &c. must come in of course. Nor should Benjamin Kent, Samuel Swift or John Reed, be forgotten.

I envy none of the well merited glories of Virginia, or any of her sages or heroes. But, sir, I am jealous of the honor of Massachusetts.

The resistance to the British system for subjugating the colonies began in 1760, and in the month of February, 1764, James Otis electrified the town of Boston, the province of Massachusetts Bay, and the whole continent, more than Patrick Henry ever did in the whole course of his life. If we must have panegyrics and hyperboles, I must say that, if Mr. Henry was Demosthenes, and Mr. Richard Henry Lee Cicero, James Otis was Isaiah and Ezekiel united.

I hope, sir, that some young gentleman, of the ancient and honorable family of "The Searchers," will hereafter do impartial justice both to Virginia and Massachusetts.

After all this freedom, I assure you, sir, it is no flattery when I congratulate the nation on the acquisition of an attorney general of such talents and industry as your "sketches" demonstrate.

With great esteem, I am, sir, your friend and humble servant,

JOHN ADAMS.

Mr. Wirt, attorney general
of the United States.

Quincy, Jan. 23, 1818.

SIR,—I thank you for your kind letter of the 12th of this month. As I esteem the character of Mr. Henry an honor to our country, and your volume a masterly delineation of it, I gave orders to purchase it as soon as I heard of it; but was told it was not to be had in Boston. I have seen it only by great favor on a short loan. A copy from the author would be worth many by purchase. It may be sent to me by the mail.

From a personal acquaintance, perhaps I might say a friendship, with Mr. Henry of more than forty years, and from all that I have heard or read of him, I have always considered him as a gentleman of deep reflection, keen sagacity, clear foresight, daring enterprise, inflexible intrepidity, and untainted integrity; with an ardent zeal for the liberties, the honor and felicity of his country and his species. All this you justly, as I believe, represent him to have been. These are, however, remarks to be made upon your work, which, if I had the eyes and hands, I would, in the spirit of friendship, attempt. But my hands, and eyes, and life, are but for a moment.

When congress had finished their business, as they thought, in the autumn of 1774, I had, with Mr. Henry, before we took leave of each other, some familiar conversation, in which I expressed a full conviction that our resolves, declaration of rights, enumeration of wrongs, petitions, remonstrances and addresses, associations and non-importation agreements, however they might be expected in America, and however necessary to cement the union of the colonies, would be but waste water in England. Mr. Henry said they might make some impression among the people of England, but agreed with me that they would be totally lost upon the government. I had just received a short and hasty letter, written to me by major Joseph Hawley, of Northampton, containing "a few broken hints," as he called them, of what he thought was proper to be done, and concluding with these words, "after all we must fight." This letter I read to Mr. Henry, who lis-

tened with great attention, and as soon as I had pronounced the words, "after all we must fight," he raised his head, and, with an energy and vehemence that I can never forget, broke out with "By G— I am of that man's mind." I put the letter into his hand, and when he had read it he returned it to me, with an equally solemn asseveration, that he agreed entirely in opinion with the writer. I considered this as a sacred oath, upon a very great occasion, and could have sworn it as religiously as he did, and by no means inconsistent with what you say, in some part of your book, that he never took the Sacred Name in vain.

As I knew the sentiments with which Mr. Henry left congress in the autumn of 1774, and knew the chapter and verse from which he had borrowed the sublime expression, "we must fight," I was not at all surprised at your history, in the 122d page, in the note, and in some of the preceding and following pages. Mr. Henry only pursued, in March, 1775, the views and vows of November, 1774.

The other delegates from Virginia returned to their state in full confidence that all our grievances would be redressed. The last words that Mr. Richard Henry Lee said to me when we parted, were, "we shall infallibly carry all our points. You will be completely relieved; all the offensive acts will be repealed; the army and fleet will be recalled; and Britain will give up her foolish project."

Washington only was in doubt. He never spoke in public. In private he joined with those who advocated a non-exportation as well as a non-importation agreement. With both he thought we should prevail; without either he thought it doubtful. Henry was clear in one opinion, Richard Henry Lee in an opposite opinion, and Washington doubted between the two. Henry, however, appeared, in the end, to be exactly in the right.

Oratory, Mr. Wirt, as it consists in expressions of the countenance, graces of attitude and motion, and intonation of voice, although it is altogether superficial and ornamental, will always command admiration—yet it deserves little veneration. Flashes of wit, coruscations of imagination and gay pictures—what are they? ~~Strikes~~ ~~reason and pure integrity~~, are the only essential ingredients in sound oratory. I flatter myself that Demosthenes, by his "action! action! action!" meant to express the same opinion. To speak of American oratory, ancient or modern, would lead me too far, and beyond my depth. I must conclude with fresh assurances of the high esteem of your humble servant,

JOHN ADAMS.

Wm. Wirt, esq.

attorney general U. S.

Quincy, March 7, 1818.

DEAR SIR,—Be pleased to accept my cordial thanks for the present of an elegant copy of your Sketches of Mr. Henry. I know not whether I shall ever have time to make you any other return than thanks; but as I see you wish to investigate the sources of the American revolution, if you will give me leave, I will give such hints as my memory affords, to assist you.

In 1764 was published in Boston a pamphlet, "The Sentiments of a British American," the motto of which ought to have warned Great Britain to desist from her tyrannical system of taxation—

"Asellum in prato timidus pascerebatur senex.
Is hostium clamore subito territus
Suadebat asino fugere, non possent capi.
At ille lentus; quæso num binas mihi
Clitellas impositurum victorum putas?
Senex negavit. Ergo quid refert mea
Cui serviam? Clitellas dum portem meas."

Phadrus.

Considering an act of parliament of the fourth year of George the third, for granting certain duties in the British colonies and plantations in America, he says the first objection is, that "a tax is laid on several commodities, to be raised and levied in the plantations, and to be remitted home to England." This is esteemed as a grievance, inasmuch as they are laid without the consent of the representatives of the colonies. It is esteemed an essential British right that no person shall be subject to any tax but what in person, or by his representative, he has a voice in laying.

I am indebted to you, Mr. Wirt, for the refusal of this pretty little thing. I had not seen it for fifty-four years, and should never have seen it again, if your book had not excited me, having no copy of it, to borrow it, as a great favor, for a short time. It was written by Oxenbridge Thatcher, a barrister at law, in Boston. There is so much resemblance between this pamphlet and Mr. Jay's address to the people of England, written in congress, ten years afterwards, that, as Johnson said of his Rasselas and Voltaire's Candide, the world might suspect that the one gave occasion to the other.

In this year, 1764, was published in Boston, "The rights of the British colonies asserted and proved—by James Otis, esq." This work was read in manuscript in the house of representatives of Massachusetts, in 1764, and though not ordered by them to be published, it was printed with their knowledge: In it these propositions are asserted as fundamental.

"1. That the supreme and subordinate powers of legislation should be free, and sacred in the hands where the community have once rightfully placed them.

"2. The supreme national legislature cannot be altered, justly till the ~~consent~~ ~~of the~~ ~~representatives~~ ~~of the~~ ~~people~~ ~~of the~~ ~~colonies~~ ~~of the~~ ~~country~~ ~~of the~~ ~~land~~ ~~of the~~ ~~soil~~ ~~of the~~ ~~territory~~ ~~of the~~ ~~jurisdiction~~ ~~of the~~ ~~sovereignty~~ ~~of the~~ ~~power~~ ~~of the~~ ~~authority~~ ~~of the~~ ~~right~~ ~~of the~~ ~~interest~~ ~~of the~~ ~~concern~~ ~~of the~~ ~~affairs~~ ~~of the~~ ~~business~~ ~~of the~~ ~~transaction~~ ~~of the~~ ~~operation~~ ~~of the~~ ~~management~~ ~~of the~~ ~~conduct~~ ~~of the~~ ~~administration~~ ~~of the~~ ~~government~~ ~~of the~~ ~~state~~ ~~of the~~ ~~nation~~ ~~of the~~ ~~people~~ ~~of the~~ ~~land~~ ~~of the~~ ~~soil~~ ~~of the~~ ~~territory~~ ~~of the~~ ~~jurisdiction~~ ~~of the~~ ~~sovereignty~~ ~~of the~~ ~~power~~ ~~of the~~ ~~authority~~ ~~of the~~ ~~right~~ ~~of the~~ ~~interest~~ ~~of the~~ ~~concern~~ ~~of the~~ ~~affairs~~ ~~of the~~ ~~business~~ ~~of the~~ ~~transaction~~ ~~of 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"dly. Their whole power is not transferable."

These are the first principles of law and justice; the great barriers of a free state, and of the British constitution in particular.—I ask, I want, no more.

This work, Mr. Wirt, which, in 1764, was as familiar to me as my alphabet, I had not seen for fifty four years, and should never have seen it again, if your "Sketches," for which I again thank you, had not aroused me. With some pains, and as great a favor, I have obtained the loan of it, from Wm. Smith Shaw, Esq. the indefatigable collector of literary curiosities in the

In page seventy three of Mr. Otis' pamphlet is a learned and elaborate demonstration, that all acts of parliament, laying taxes on the colonies without their consent, were null and void.

In an appendix to this work, is a copy of instructions given by the city of Boston, at their annual meeting in May, 1764, to their representatives, Royal Tyler, JAMES OTIS, Thomas Cushing and Oxenbridge Thatcher, Esqs. These instructions were drawn by Samuel Adams, who was one of the committee, appointed by the town, for that purpose. These instructions are a sample of that simplicity, purity and harmony of style, which distinguished all the productions of Mr. Adams' pen. I wish I could transcribe the whole; but the paragraph most directly to the present purpose is the following.

"But what still heightens our apprehensions is, that these unexpected proceedings may be preparatory to new TAXATIONS upon us. For, if our trade may be taxed, why not our lands? Why not the produce of our lands and every thing we possess or make use of? This, we apprehend, annihilates our charter right to govern and tax ourselves. It strikes at our British privileges, which, as we have never forfeited them, we hold in common with our fellow subjects, who are natives of Britain. If taxes are laid upon us, in any shape, without our having a legal representation, ~~when they are laid, are we not reduced from the character of free subjects to the miserable state of miserable slaves.~~"

This whole work was published more than a year before Mr. Henry's resolutions were moved or composed.

Excuse the trouble I give you, and believe me to be, sir, your obliged friend and humble servant,
JOHN ADAMS.

WILLIAM WIRT, ESQ.

Attorney-general of the United States.

MASSACHUSETTS LEGISLATURE.

Tuesday, June 2.—The two Houses being in convention, his Excellency appeared, accompanied by his Council, and the public officers of State, and delivered the following

SPEECH:

Gentlemen of the Senate, and

Gentlemen of the House of Representatives.

A REVIEW of the past, and an examination of the existing circumstances of the Commonwealth can never be more pertinent or useful than on occasions like the present. The practical effects of laws upon society furnish the legislator with the most instructive political lessons, and the safest guides for his future conduct. Laws, which time that so unerringly develops the merit and demerit of every thing human, has proved to be

adapted to the genius and circumstances of the people command respect and challenge perpetuation.—And such appears to be the happy adaptation of the civil statutes of the commonwealth, to our actual condition, as to afford little room for legislative correction. The field of Legislation being thus narrowed, the duties of the Legislature will be less onerous; and you may pursue, with less divided attention, the melioration of the criminal code, and the promotion of objects of general utility.

Humanity has long bewailed the miseries which crimes have brought upon society, and the efforts of many individuals and of governments have been continually making to prevent their perpetration. Some very ingenious and learned men, particularly of the last and present centuries, indulging in abstracted views of the human character and of human rights, have proscribed all capital and corporeal punishments, not only as cruel and sanguinary, as unjustifiable and useless, but as tending to produce the crimes they were designed to prevent; and the origin of punishment has been referred to an ardent spirit of domination, or to the malignant passions of men in power.

Benevolence and humanity would delight in the idea that crimes and punishments were speedily to terminate. Hopes have even been cherished by many philanthropists in our own country, that under a mild and mitigated system of penal and criminal law, the utility of public punishments would diminish or cease. But deductions from the hypothetical rights of individuals, and the perfectability of man, are too subtle and indistinct to be assumed as practical maxims of jurisprudence. If the right of a government to inflict a high degree of punishment be denied, it will be difficult to define a point at which the right to punish in any degree shall commence.

Meeting the question upon the broad ground of justice and public utility, the government of Massachusetts, maintaining the right to punish, has abolished many of the ancient laws which ordained the infliction of death as a punishment.—An appeal to our present statutes will show that great improvements in favour of human weakness have been effected. We can only, however, permit ourselves to boast of an approximation to a due adjustment of punishments to the various grades of offences. Crimes are daily perpetrated, and much remains to be done. Even in the present improved state of our own country, when the spirit of liberty, of philosophy, and of the christian religion, have united to suppress vice and crimes, to mitigate the rigour of punishments and to endow them with a reforming power, we painfully witness the protracted prevalence of vice and depravity: And it continues to be the indispensable, though irksome duty of a Christian Legislature to ordain punishment for crimes; and by good and wholesome laws protect the persons and property of the orderly and virtuous, against the depredations and outrage of the unprincipled and audacious.

The utility of a concentrated system of penal and criminal law, in which punishment shall be graduated by the nature and aggravation of crimes, and adapted to the actual state of society and public sentiment, was duly appreciated by your immediate predecessors; and I have great satisfaction in adding, that a revision of the criminal code of this Commonwealth was, to the

fullest extent, referred to a committee of three of our most learned and distinguished jurists, designated by the legislature in the month of February last; from whose talents and labours we anticipate the most salutary results.

In adverting to objects of general utility, I limit my own views to inviting your attention to considerations of that character. The present period being a time of peace, the citizens not only of this State, but of the other States in this confederacy, are assiduously availing themselves of the moment to cultivate and improve the arts of life, and to augment the means of personal and social enjoyment. And it is worthy of particular remark, that in every part of the Union, the States, large appropriations of money have been made by their Legislature to animate individual labor, and to give effect to combined enterprise. By a reference to the statutes of Virginia it will be seen, that, soon after the termination of the late war, a "Board of Public Works" was instituted, vested with full power to pledge that State in a limited ratio, as a party to any enterprise founded on public utility that should be approved by the Board. By referring to the statutes of the state of New-York, of a more recent date, it will be found that the Legislature has assumed in behalf of that State, the construction of a Canal from Lake Erie to the confluence of the Mohawk river with the Hudson, and of another canal to communicate with Lake Champlain and the last mentioned river.

In concerns of high import Massachusetts has not been accustomed to want decision or zeal.—Her fiscal resources, liberated by the late repeal of the internal revenue laws of the United States, are various, and might be rendered productive.—In the present state of peace and general prosperity, rich as she is in her agriculture, in her various fisheries and manufactures, but especially in her commerce, and the redundant capital of her citizens, she ought to feel herself, without the pressure of additional taxes on the great body of the people, amply competent to every object of general improvement and advantage that can offer itself to her patronage.

The project of cutting a canal through the peninsula of Cape Cod has repeatedly engaged the attention of the Legislature. The magnitude of that object in relation not only to the coasting trade and commerce of this State, but of the United States, and the facility of communication it would afford, in the event of a war, between Massachusetts bay and the waters leading to ports on the Delaware and in the Chesapeake, as well as to the contiguous States of Rhode Island, Connecticut and New-York, unite in recommending the merits of the undertaking to thorough examination; whence motives may be eventually derived for the government of this State, and that of the United States, efficaciously to further its accomplishment.

To encourage industry, the great source of competence, and the friend of health and good morals, always merits the care of the Legislature. Improvement in the arts is progressive; and, besides that prepossessions in favor of established customs and practices oppose themselves to reform, most men are obliged to labor for subsistence and pursue those plans of execution to which they have been habituated. In agriculture few individuals possess the means of instituting those extensive and elaborate experiments, by

which the powers of soil and climate are developed. Nothing perhaps can more decidedly evince the intelligent and guardian care of the legislature over this interesting branch of political economy, than the establishment of the Massachusetts Agricultural Society, and other institutions for the advancement of similar subjects, together with the liberal grants of money from the treasury, which have been made in aid of individual contributions. Through the agency of these institutions, and the persevering and generous efforts of the gentlemen by whom they are administered, a lively impulse has been imparted to agriculture, and every portion of the State is nourishing under their genial influence.

Among the numerous objects which at all times are interesting to the people and government of the Commonwealth, the department of the treasury is one of the most prominent. Although by the adoption of the constitution of the government of the United States, the several States have relinquished the most productive sources of revenue, yet from those branches over which the states retain a concurrent jurisdiction, a competent supply, not only for the support of government and payment of the State debt may be derived, but for extraordinary contingencies, and the occasional encouragement of any important branch of political economy that may solicit the fostering care of the state.

At this time it merits particular notice, that for more than twenty years a considerable proportion of the money received into the treasury has been derived from the payment of the interest, and part of the principal, of the United States stock belonging to the Commonwealth. Thus an amount of the Six Per Cent. Stock of the United States, amounting in the year 1796 to eight hundred and thirty-two thousand five hundred and thirty-four dollars, is reduced to twenty-four thousand three hundred and sixty-two dollars and eighty-seven cents; which stock will be extinguished on the first day of October of the present year. The deferred stock, which in the year 1800, amounted to one hundred and sixteen thousand two hundred and sixty-seven dollars, is now reduced to one hundred and seventy-four thousand nine hundred and sixty-six dollars and forty-five cents. But by the arrangements of the United States treasury, under the provisions of sundry acts of Congress, instalments of this stock are to be annually paid together with the interest until the first of October, 1824, when this stock will likewise be extinguished.

From an estimate that has been communicated to me by the Treasurer of the Commonwealth, it appears that extraordinary occurrences excepted, the balance of outstanding taxes in the hands of collectors and sheriffs; the avails of the tax on banks; the sums arising from the payment of the interest, and several instalments of the principal of U. States stock; together with a small amount of interest to be received from sundry individuals who are debtors to the State, will enable the treasurer to meet all the demands which will be made upon his department in the course of the current year. But inasmuch as the whole of the old six per cent. stock will be extinguished in October, and as it is probable that at least equal demands will be made upon the treasury, in succeeding years, a deficiency of revenue after the expiration of the present year may occur. And it is submitted to your wisdom, gentlemen, whe-

the some mode of supplying the demand and facing the finances of the state upon a stable and productive foundation, should not in the mean time be devised? An arrangement of this nature will rise in importance should a reduction and extinction of the debt of the state be contemplated.

In selecting sources of revenue all those considerations which appertain to so delicate a subject will undoubtedly have their merited weight in your deliberations. The farming interest has ever been disposed to contribute its share of the fiscal demands of the State; and on great emergencies when dangers have pressed on the Commonwealth, its efforts have been limited only by the occasion. The consequences however of drawing revenue too copiously from this source, though first felt by the agriculturist himself, operate remotely upon every class of society. Little objection can be urged against the moderate tax now laid on polls. But taxes on labor must increase its price, or be drawn from that portion of the product of it, which, to maintain the laborer in full vigor, ought to be appropriated to his subsistence. Taxes on polls and real estates, susceptible of being only annually laid and being slow and expensive in collection, must be circumscribed in amount. But revenue derived from trade and commerce, from duties and luxuries and on articles which are consumed or used only, or chiefly by the wealthy, while they admit of indefinite extension, are collected with promptness, with facility and little expense.

The Secretary will lay before you, gentlemen, for your information, the report of a special Committee of the House of Representatives in Congress, on the subject of the claims of this Commonwealth against the government of the United States, together with sundry accompanying documents; the consideration of which report was postponed till the next session. Although the merits of the claim have never been discussed in the National Legislature, yet, considering the nature and magnitude of the object for which the expenditures were incurred; the danger of a threatened invasion at the period when a large proportion of the disbursements was required, upon a maritime frontier of more than five hundred miles in extent; the remarkable unanimity of sentiment which then prevailed among all classes of our citizens, and the cordiality with which they united their labors and zeal in raising works of defence against the common enemy; and more especially the liberal and unhesitating manner in which the resources of the State were employed, as well for the defence of the posts, navy and other property of the United States, as for the immediate protection of its own territory and population, we may confidently presume that the general merits of the claim will be duly appreciated, and that the enlightened statesmen to whom are now confided the destinies of our nation will authorize a reimbursement. In this expectation we feel the greater confidence from witnessing the adoption of those liberal and comprehensive views of general policy which have elevated the United States to their present exalted grade in the scale of nations.

It is not deemed necessary on this occasion to advert to considerations which have only an indirect bearing on the subject in question. Whatever agency Massachusetts may have had in es-

tablishing the national government, or however great her sacrifices or valuable her contributions in supporting its existence and efficiency, in the spirit of amity and accommodation which produced the compact, we concede that she enjoys an equivalent. And estimating and remunerating her contributions and various efforts for the public defence, she asks only the same measures of justice and equity that has been observed for analogous expenditures towards her sister states.

That the constitution of the United States has been productive of the most beneficial effects; that the blessings resulting from it have transcended the utmost hopes of the sages who framed, and the states which adopted it, are subjects of high gratulation and joy, and of devout gratitude to that Being who rules among the nations. But to ensure a continuance of its beneficial effects, the principles upon which it was founded must be maintained in their purity.

The primary apprehensions of many of its friends, which arose from an imagined imbecility in its structure, have subsided; and the severe trials it has sustained sufficiently demonstrate its tone and vigor. The proofs of its strength, however, have been intermingled with admonitions of its tendency to accumulate power by refinement and construction; and should the time arrive when the sovereignty of the states shall be merged in the general government, the catastrophe must probably be effected by the extension of constructive prerogatives. Whatever difficulties may occur in drawing a line between those rights which have been surrendered and those which are retained by the states, it is to be remembered that on every question of doubtful import, touching the distribution of power, a favorable construction is due to the individual states, under a provision sacred as it is decisive, that all powers not expressly given are withheld.

In support of this doctrine, which I deem essential to the preservation of the true nature of our institutions of government, it is highly satisfactory to be able to cite the opinions of the president of the United States, and of his immediate predecessor. The opinion of the latter was expressed in giving his negative, among the last acts of his administration, to a bill that had passed both houses of congress, on the subject of making appropriations for roads and canals. Among the reasons he assigns for exercising the right of negative, he observes, "That such a power is not expressly given by the constitution, and that it cannot be deduced from any part of it without an inadmissible latitude of construction; and believing also that the permanent success of the constitution depends on a definite partition of powers." And the president, in his message, at the opening of the late session of the national legislature, expressed a concurrent opinion on the same constitutional question, upon the ground "that congress do not possess the right assumed in the bill; that it is not contained in any of the specified powers granted to congress; nor," the president adds, "can I consider it incident to, or as a necessary mean, for carrying into effect any of the powers specifically granted." Further to illustrate this important subject, and at the same time to point out the legitimate mode of acquiring power in instances where the distribution of it may be equivocal, the message adds that, "in cases of doubtful construction, it comports with

the nature and origin of our institutions, and will contribute much to preserve them, to apply to our constituents for an explicit grant of power."

Under this aspect it must yield us the highest satisfaction to reflect that constitutional principles bear with paramount weight on our national councils; and, forbearing on my part to interpose an opinion on the subject of allusion, we may feel confident that while the great and vital provisions of our constitution are thus tenderly and watchfully guarded, the rights of the states and the liberties of the people will remain unimpaired.

Gentlemen, we may recognize the general course, but can never enumerate the instances of divine goodness to our fathers, nor to ourselves. Future events are inscrutable. But we see and feel that the condition of our country is flourishing and happy; and it demands our gratitude. The fathers of the revolution indeed promised us much; but more is realized. They promised us liberty; and on what portion of the earth were the blessings of it ever enjoyed to an equal extent? They taught us the value and inspired the hope of religious freedom; and what impediment here exists to limit the human mind in the pursuit of truth? What authority to bind and enslave the conscience? Nor is that all. From institutions founded on the basis of justice and equal rights, a peculiar spring and force has been imparted to the American character; and our nation, though but of yesterday, is rivaling in science, in arms, and the useful arts, the attainments of the most ancient and improved nations of Europe. While then we admire and venerate the wisdom of our fathers, let us unite in the sentiments of gratitude to a benevolent Providence for all our exalted privileges and social blessings.

The secretary will lay before you a letter I have recently received from the honorable Eli P. Ashmun, resigning his seat in the senate of the United States.

Some further communications will be made to you hereafter by message; and I shall derive great satisfaction in uniting my own endeavors with yours to promote the public weal.

JOHN BROOKS.

MISCELLANEOUS.

The horse and the viper. By a late report read before the Royal institute of France, it appears that the great viper called *Fer de lance*, is one of the most dreadful scourges of the West-Indies, but is found only in Martinique, St. Lucia, and another small island. This viper is so savage, that the moment it sees any person, it immediately erects itself, and springs upon him. In raising itself, it rests upon four equal circles, formed by the lower part of the body: when it springs, these circles are suddenly dissolved—After the spring, if it should miss its object, it may be attacked with advantage; but this requires considerable courage; for as soon as it can erect itself again, the assailant runs the greatest risk of being bitten. Often, too, it is so bold, as to follow the enemy by leaps and bounds, instead of fleeing from him; and it does not cease the pursuit till its revenge is glutted. In its erect position it is so much the more formidable, because it is as high as a man, can even bite a person upon horseback. M. Morreau de Jonnes was

once riding through a wood, when his horse reared; and when the rider looked round to discover the cause of the animal's terror, he perceived a *Fer de lance* viper standing quite erect in a bush of bamboo; and heard it hiss several times. He would have fired at it with his pistol, but the affrighted horse drew back so ungovernably, that he was obliged to look about for somebody to hold him. He now espied at some distance, a negro upon the ground, wallowing in his blood, and cutting with a blunt knife the flesh from the wound occasioned by the bite of the same viper. When the author acquainted him with his intention of killing the serpent, he earnestly opposed it, as he wished to take it alive, and make use of it for his cure, according to the superstitious notion of the negroes. He presently rose and some lances, made a snare with them, and then concealing himself behind the bush near the viper, he attracted its attention by a low whistling noise, and suddenly throwing a noose over the animal, drew it tight, and secured his enemy. M. Morreau saw this negro a twelve month afterwards, but he had not perfectly recovered the use of the limb bitten by the viper. The negroes persecute these vipers with the greatest acrimony. When they have killed one they cut off its head, and bury it deep in the earth, that no mischief may be done by the fangs, which are dangerous after the death of the animal. Men and beasts shun this formidable reptile; the birds manifest the same antipathy for that as they do for owls in Europe, and a small one of the *loria* kind, even gives warning by its cry, that a viper is at hand.

Animal Flower.—The inhabitants of St. Lucia have discovered a most singular plant. In a cavern of that isle, near the sea, is a large basin from twelve to fifteen feet deep, the water of which is very brackish, and the bottom composed of rocks. From these, at all times, proceed certain substances, which present a first sight, beautiful flowers, of a bright shining color, and pretty nearly resembling our marigolds—only that their tint is more lively. These seeming flowers, on the approach of a hand or insect, retire, like a snail, out of sight. On examining their substance closely, there appear, in the middle of the disk, four brown filaments, resembling spiders' legs, which move round a kind of petals with a pretty brisk and spontaneous motion. These legs have pincers to seize their prey; and, upon seizing it, the yellow petals immediately close, so that it cannot escape. Under this exterior of a flower is a brown stalk, of the bigness of a raven's quill, and which appears to be the body of some animal. It is probable this strange creature lives on the spawn of fish, and the marine insects thrown by the sea into the basin. [D. Adv.]

From the National Advocate.

Peaches and Plums.—Many conjectures have long been afloat respecting the cause of the destruction of fruit trees, particularly those of the peach and plum—some have ascribed it to a worm in the root, others to an epidemic, and affirmed, that when one tree was infected the disorder was communicated to others. I have, however, long held a different opinion, and have now become fully satisfied, that the evil originates from the sting of an insect, commonly called a

beetle, or Scarabows, evidently of the Coleoptera type. This insect is about the size of a large pea, of a dark brown colour; millions of them have this season appeared, and are found in spading up gardens, and ploughing. Early in the morning they shelter themselves about three inches under ground, where they continue in a kind of torpid state, until night, when they crawl out, take the wing, and buzz among the branches of the trees like a swarm of bees; they feed on the leaves and sting the tender branches of the trees, which sting is so poisonous as to effect the juices of the whole tree, and to cause the leaves to turn yellow, and crinkle, and the tree to die. The early fruit has already been stung, and will doubtless drop, or become wormy. I publish this with a hope that some one more competent than myself may make a more thorough examination, and point out a remedy.

AGRICOLA.

Yellow Dye—A chemist of Copenhagen has discovered a brilliant yellow matter for dyeing in potatoe tops. The mode of obtaining it is by cutting the top when in flower, and bruising and pressing it to extract the juice. Linen or woollen soaked in this liquor during 48 hours, takes a fine, solid and permanent yellow color. If the cloth be afterwards plunged in a blue dye, it then acquires a beautiful permanent green color.

FREE MASONS EXCOMMUNICATED.

Extract of a letter received by a gentleman in this city, from his friend in Alicante.

"Last week, the Clergy excommunicated from their Churches all Freemasons; also all persons who may have in their possession any book of Masonry, and who may know of a mason and not inform against him. Poor fools! how can they point out a mason, unless he should declare himself: which he certainly would not, as the Inquisition would imprison him for life. There is a Col. Fernando, a worthy and brave officer, now in close confinement in the Castle, where he has been eighteen months. He was seized at the dead hour of night, and taken from his bed to a prison by these wretches, for being, as they supposed, a mason." *N. Haven paper, May 29.*

A warning to quacks.

Before the supreme court, now sitting in this town, a verdict for the sum of two hundred and fifty dollars damage has been obtained against Richard Ransom Smith, professing himself a physician and surgeon, for mal practice. A boy of fourteen having wounded his eye with a penknife, application was made to Smith. An ointment, composed, as nearly as could be ascertained, of lard, precipitate, and spirits of turpentine, was the ingenious composition applied for its cure, but in consequence of which it was irreparably injured. It appears that the defendant had practised for a considerable time upon the credulity of the public. Among other impositions, was that of selling at an enormous price, a receipt for the cure of cancers, taken verbatim, from Motherby's Medical Dictionary. [*Mus. Spy.*]

From a Paris Paper.

Antiquities in Egypt.—M. Bolzoni, sent by the English government to collect monuments of antiquity in Egypt, for the British Museum, addressed the following letter to Visconti, for the pur-

pose of its publication in the Paris papers. The illustrious *avant*, when the letter arrived, was unhappily no more. Our readers will no doubt be gratified by our executing the intentions of M. Bolzoni. The letter is as follows:—

"Cairo, Jun. 9, 1818.—I am just arrived from Upper Egypt, and preparing to return into Nubia for the third time.

"When I first visited Thebes, in 1816, I succeeded in embarking on the Nile, the upper part of the famous statue of Memnon. This grand fragment, which lay for so many ages in the ruins of the palaces destroyed by Cambyzes, is actually on its way to the British Museum. It is a colossal bust from a single block of granite, ten feet in height from the breast to the top of the head, and twelve tons weight. Other travellers before me, had formed the design of conveying it to Europe, but abandoned their intention from the difficulty of finding means of transporting such a mass the distance of two miles, to embark it on the Nile, by which alone it could reach Alexandria.—I have succeeded in effecting this, without machinery, and solely by the labor of Arabs, however ill-suited such rude efforts to a people sunk in the indolence of the savage state. It accordingly took the labor of six months.

"From Thebes, I returned up towards Nubia, to examine the grand temple of Ysambul, which is buried more than two thirds of its height in the sand, near the second cataract. There I found inhabitants very unfavorable to my views, and on whose part I prepared myself to encounter difficulties. I, however, from the advanced state of the season, was induced to postpone this enterprise to another time.

"In the mean time I went back to Thebes, where I employed myself in new excavations, near the temple of Karnack. It was there I found, many feet under ground, a range of Sphynxes, within a wall. These Sphynxes, with a lion's head upon a woman's bust, are of black granite, of the ordinary size, and for the most part finely executed. There was in the same place, a statue of Jupiter Ammon, in white marble.

"It was not until my second voyage, in 1817, that I discovered the head of a colossus, much larger than that of Memnon. It was of granite, and formed out of a single block—it measured of itself ten feet from the neck to the top of the mitre, with which the head is covered. It is in excellent preservation; the polish is still as fine as if it just came from the hands of the statuary.

"After this, I resumed the way to Nubia, where so many hard trials awaited me. The people of this country are utterly savage, and have no idea of hospitality. They refused us the common necessities of life; neither entreaty nor promise had any effect upon them; we were obliged to live upon Turkish wheat diluted in water. By dint, however, of patience and courage, after twenty-two days of incessant travelling I had the happiness of finding myself in the temple of Ysambul, where no European foot ever trod before, and which presents an excavation much more vast than any to be found in Nubia or Egypt, except the tombs which I discovered at Thebes.

"The temple of Ysambul is 152 feet long, and contains four chambers and a large court, where are to be seen eight colossal figures, 30 feet high. The columns and walls are covered with hieroglyphics and figures, in good preservation. This temple must, therefore, have been spared by

Cambyases, and the other ravagers, who came after him. I brought away from this some antiques, two lions with vulture's heads, and a little statue of Jupiter Ammon.

"On returning through Thebes, I again viewed those objects which have excited the attention of travellers of every nation—I mean the tombs of the kings of Egypt.

"It was well known, that independently of these tombs, which are open, there were others under ground; but no person had yet discovered in what precise spot. After employing myself for a considerable time in observing attentively the situation of Thebes, I found a clue to lead me on my way, and having made several excavations, I met with six of them. One is that of Apis, as is signified by the mummy of an ox, which was found there. The mummy is filled with asphaltus. It is impossible for me to give you an idea of the grandeur and magnificence of this tomb.

"It is certainly the most curious and astonishing thing in Egypt, and impresses one with the highest idea of the workmanship of the ancient inhabitants. The interior, from one extremity to the other, is 190 feet, contains a great number of apartments and galleries. The walls are every where covered with hieroglyphics and bas reliefs, in fresco colors, which are brighter than any color we have, and are as fresh as if they had been only just put on. But the finest antique in this place is in the principal chamber. It is a sarcophagus, formed of a single piece of alabaster, 9 feet 7 inches long, three feet 9 inches wide, the interior and exterior being equally covered with hieroglyphics and figures, hollowed with a chisel. This sarcophagus sounds like a silver bell, and is as transparent as ice. No doubt, when I shall have it transported to England, as I hope to do successfully, it will be esteemed as one of the most precious treasures of which an European museum can boast.

PRESIDENT'S TOUR.

On the 11th instant the president of the United States returned to Norfolk from his excursion to Lake Drummond and Elizabeth City, N. C. On the 12th he partook of a public dinner at the Exchange Coffee House, prepared by the citizens for the occasion. The papers say the company consisted of about 200 persons of the first respectability of that borough. As usual, at public dinners, a set of toasts were drank. An address was also presented to the president, who returned the following answer:

To John E. Holt, esq. mayor of the borough of Norfolk.

SIR,—No object is more interesting to the United States than the adoption of a judicious system of defence, and the establishment and construction of such fortifications as may be found necessary for the security of our maritime and inland frontiers. Such a system, well executed, may prevent wars, and it cannot fail, should wars become inevitable, to mitigate their calamities. The attention of congress has been wisely directed to this great object, and ample funds have been provided for it. It is my duty to exert my utmost efforts to give it effect; and on these efforts my country may rely.

It is our felicity to live under a government capable of securing to us, by a wise, honest and efficient exercise of its powers, all the blessings of which civil society is susceptible. While the movement of the government, in all its branches, corresponds with the great and sublime principles on which it is founded, no citizen will ever have cause to complain that any of his rights have been violated. Happily, this faithful and harmonious movement is placed beyond the reach of danger. Deriving all its power from the people, it must be administered for their advantage, while the people continue to be virtuous, well informed, and attentive to their interests. It is a cause of heart-felt satisfaction to us all, and of grateful acknowledgment to the Supreme Creator of the world, that the operations of our government have fully confirmed all the most flattering anticipations that were indulged in its favor.

To the support of these great principles my whole life has been devoted. My conduct, in many high and important trusts, is known to my country. If it has given me any claim to the confidence of my fellow citizens, I feel that they have not been unmindful of it. The same principles and zeal which you have approved in the review which you have taken of the past will continue to animate me in future.

For the kind reception which you have given me, in behalf of the citizens of Norfolk, I beg you to tender to them my sincere thanks, with my best wishes for their prosperity and welfare.

JAMES MONROE.

On Saturday, the 13th, we understand the president left Norfolk on his return to Washington, intending to call at Craney Island, Hampton, and Old Point Comfort.

FOREIGN AND DOMESTIC SUMMARY.

FOREIGN.

RUSSIA.

By an official statement it appears, that there were burnt in Russia, ~~at the great of the~~ ^{in the great of the} ~~city, the bodies of two hundred and forty-three thousand six hundred and twelve men, and one hundred and twenty-three thousand one hundred and forty-two horses.~~

GERMANY.

The following are the persons chosen to form the military committee of the German diet: The imperial Austrian minister, president of the diet, count Buol Schauenstein; the Prussian minister, count Vander Coltz; the Bavarian minister, baron Van Aretin; the Hanoverian minister, M. Von Matens; the Wertenburg minister, baron Wangensheine; the Danish minister for Holstein and Lauenberg, count Gyben; and the minister of Mecklenburgh, baron Van Plossin.

ENGLAND.

There being no important news from this country, at present, to gratify as much as possible those readers whose appetite is never satisfied without the taste of something British, we give the following, from a London paper:

The British Monarchy—The earl of Liverpool lately observed in the house of lords, that, since the death of the late princess Charlotte, the question which every man put to his neighbor in England, was, what was to become of the succes-

sion to the throne? It was a remarkable fact that, though his majesty had been blessed by providence with a numerous progeny, yet of his twelve children now living, namely, seven sons and five daughters, although the youngest of the sons was 44 years of age, and none of the daughters under 40, yet there were, at the present moment no living descendants of the royal family.

Mr. Canning, in the house of commons, urged the royal allowance, and observed, "That no man could doubt that it never would have been in the contemplation of his royal highness, the duke of Clarence, to contract the alliance under discussion, if it had not been pressed on him as an act of public duty. His royal highness's utmost wish was that he should be allowed such means as would prevent him from incurring debt, and in that odious way becoming a burden to his country. His royal highness had voluntarily, and by arrangements of his, set apart a portion of his present income, to pay the interests of his debts, to insure his life for the security of his creditors, and gradually to liquidate their amount. Had it not been for this alliance, therefore, he would not have required any aid from parliament; and into this alliance his royal highness entered, not for his private desire and gratification, but because it was pressed on him for the purpose of providing for the succession of the throne (a laugh.) If there was any thing ridiculous in this proposition, it was the state of the law which rendered it so; the law precluded the royal family from contracting marriages of liking, and into which those sentiments and excitements entered, which existed among persons who grew up in the knowledge of one another."

The allowance was refused, on the ground, that the enormous sum of one million of money was appropriated yearly, to the mere support of the splendour of the throne; which trappings of monarchy, as one of the members observed, were sufficient to establish a new commonwealth.

Since the above was in type we have received London dates through the New-York Commercial Advertiser to the 29th April, which we make some extracts.

Bell's Messenger of the 27th of April says, it is rumored that the Duke of Clarence has resolved to persevere in his determination of marriage with the Princess of Saxe Meiningen, notwithstanding the vote of the house of commons, if her serene highness shall continue her consent.

The marriage of the Duke of Kent with the Princess Dowager of Leiningen, is announced in the *Frankfort Gazette* of the 18th, in an authentic shape, as being positively decided upon. It is added, "that Privy Counsellor Baron Von Schonitz is gone to Stutgard, in order to make some arrangements on this subjects, as has also the British Ambassador to the court of Wirtemberg."

The Prince and Princess of Hesse Homberg, were to leave England for the Continent in the Month of May. Prince Leopold was to visit the Continent about the same time.

The committee who were appointed to superintend the erection of a monument to the memory of the late Princess Charlotte have concluded to construct the proposed temple of the Cenotoph on a scale sufficiently extensive to admit of its

being appropriated to the purposes of Divine Worship, and constituted a free church.

The Grand Duke Michael, brother of the Emperor of Russia, was to visit London about the middle of May.

The Society for the encouragement of the Arts, are directing their attention to the best means of preventing forgeries of Bank Notes.

Advices from Italy mention that the Princess of Wales is in bad health, and that she has sold her estate on the Lake of Como.

Two of the vessels belonging to the expedition, which sailed for the North Pole on the 23d of April, were compelled to return on the 25th with the loss of anchors.

A fleet of Spanish Transports, with the officers and crew of the Russian squadron recently sold to the Spanish government, touched at Real on the 28th of April on their way to the Baltic.

The 35th regiment, under the command of Col. Lorenzo Moore, is ordered to embark for Quebec. The 98th, Col. Daniell, is ordered for Halifax.

From the report of the select committee on the poor laws, it appears that the average sum raised by assessment for the relief of the poor, in the three years ending in 1750, was only 730,135*l*. The average of three years ending in 1815, amounted to the enormous sum of 8,164,496*l*.

Accounts from China state, that a very serious misunderstanding has arisen between the Chinese authorities and the British traders, respecting reported smuggling by the county ships. Bonds had been demanded from the owners, which were refused.

Funds and Stock—London April 28, 12 o'clock— "There is no doubt that the whole plans of the Chancellor of the Exchequer will meet with complete success.

"The funds are advancing this morning, and from their continuing so much above the price at which the subscribers at the bank have the option of funding, a general opinion is entertained that the whole sum of twenty-seven millions will be funded.

"The 15 per cent. to be paid at the Bank to-day for the instalment of the Subscription is stated to be nearly completed."

LONDON, April 29.

The following Treasury Notification has just been issued, relating to the bargain with the Subscribers to the new stock:—

Treasury Chambers, April 28, 1818.

Lord Liverpool and the Chancellor of the Exchequer have, upon the application of several of the Subscribers for converting 3 per Cent. Annuities into Annuities at the rate of 3½ per cent. consented to place persons who have subscribed 2000*l*. and less than 50,000*l*. 3 per Cent. Annuities, upon the same footing as persons who have subscribed above the latter sum, in regard to the period for making the transfer of 85*l*. per Cent. upon the sum subscribed.

They have also consented to postpone the payment of the instalment upon the exchequer bills which may be subscribed, to be funded at the following periods, viz:

15 per cent. on or before the 1st of August, 1818.

10 per cent. on or before the 3d of September.

20 per cent. on or before the 16th of October.

10 per cent. on or before the 24th of November.

10 per cent. on or before the 11th of December.
10 per cent. on or before the 15th of January, 1819.

In case money should be paid in lieu of exchequer bills, in discharge of any of those instalments, one per cent. on such money payment, and interest at the rate of 2d. per cent. per diem, from the 1st day of August to the day of payment, must be paid according to the terms of the former notice.

IRELAND.

The progress of the contagious fever in Ireland has been very desolating in many parishes.

FRANCE.

M. Fauldes and the Budget.—A London paper of the 28th of April, in speaking of the French affairs observes, "that the trial of the murderers of *M. Fauldes*, has kept pace with the budget, and the two are so inseparably in our minds, that we do not imagine we shall ever hear of one without remembering the other. This murder is the most atrocious we have any record of. The deliberate extension of the living body of *Fauldes* upon a table; the holding him with his face downwards, and his throat bare, over a pail; the cutting his throat, and receiving the blood in this vessel, that the floor might not be stained; the carrying out the body to throw it into a river, and the emptying of the pail upon an adjoining dunghill, are all so many horrible circumstances to which the annals of our criminal trials can produce no parallel, and altogether compose a murder worthy of the most energetic days of revolutionary France. One still more horrible circumstance, indeed, we have omitted in the above enumeration, namely, that the woman who held the pail, stirred up the blood with her hands, lest it should become clotted, and might not pour so clean from the wood. The burning alive of the *Lynch* family in Ireland, and the adding more straw to the flames, in proportion as the screams of the women and children were heard, is the only suitable parallel; but it does not appear that any women were concerned in this transaction. By what we can understand of the evidence *Madame Mansen*, who was in the house upon some intrigue, was discovered and brought from a remote chamber by *Bastide*, who rendered all secure, was about to murder her upon the spot, but was prevented by *Jausion*, who exacted from her an oath of secrecy. Gratitude to *Jausion*, as her deliverer, has given the character of mystery to her evidence, whilst *Bastide*, seeing the motive of her silence, and presuming too far upon it, dares her to the discovery, and insinuates his own innocence upon her silence.

The king of Prussia is expected to visit Paris in the month of August.

Allied Armies.—The Paris papers of the 26th of April, contain an official announcement of the approaching evacuation of the French territory, by the allied army, of the financial means provided for carrying it into effect, and of the speedy meeting of the allied sovereigns, for the purpose of fixing the precise time, and other preparatory circumstances. The sum required for the final liquidation of the claims of foreign powers, is reduced from sixteen hundred millions of francs, (about 66,665,600l. sterling,) the amount of the original demand, to three hundred and twenty millions eight hundred thousand francs.

Louis, by the grace of God, king of France and Navarre—

To all present, greeting:

We have ordained, and do ordain, that the project of the law, the tenor of which follows, shall be presented to the chamber of deputies, by our ministers secretaries of state, in the departments of foreign affairs and finance, and by the *seigneurs* count *Simeon* and Baron *Monnier*, counsellors of state, whom we charge to explain its motives, and support it in debate:

Article 1. For the purpose of providing for the full and entire execution of the dispositions of the treaty of the 30th May, 1814, and the conventions of the treaty of the 20th November, 1815, so far as concerns the payment of the debts contracted by France, anterior to that epoch, beyond their own actual territory, there shall be created and inscribed upon the grand book of the public debt, with interest from the 22d March, 1813, a perpetual rente of 16,040,000 francs, to meet a capital of 320,800,000 francs.

Art. II. There is opened in the ministry of finance a credit of twenty-four millions of rentes. In consequence the government is authorised to create and inscribe on the grand book of the public debt, in concurrence with this sum, rentes which may be employed only to complete the payment of the sums due to the allied powers, conformably with the 4th article of the treaty of the 20th November, 1815.

Art. III. An account shall be given in the session of what shall have been done in virtue of the above second article.

Given at our castle of the Tuilleries, the 25th of April, of the year of our Grace 1818, and the 23d of our reign.

(Signed) LOUIS.

(Signed) RICHELIEU.

FLORIDA.

We learn through the newspapers that general Jackson, on the 21st May, took possession of Pensacola; having made certain requisitions, which not being complied with, he carried the fortress by storm.

MASSACHUSETTS.

Moose Island.—*Proceedings in Legislature.*—In Senate, June 8.—The secretary came in with the following message from his excellency the governor, viz.

"Gentlemen, &c.—This morning I received a letter from the honorable John Quincy Adams, secretary of state, stating that his Britannic majesty's government had given orders for the delivery to the United States, of Moose, Dudley, and Frederick islands, and that brigadier general James Miller had been, by order of the president of the United States, authorized to receive possession of the same, in their name, suggesting, at the same time, that it would be satisfactory to the president, should an officer of the state be appointed to attend at the surrender of the territory. A copy of a letter of the secretary of state will herewith be laid before you.

JOHN BROOKS.

"Council chamber, June 6."

The message was read, and committed to Messrs Quincy and King. The house joined Messrs. Balch, of Lubec, Treat, of Bangor, and Jarvis, of Ellsworth.

The committee on the subject of the delivery

of Moose Island, &c. reported a resolve, authorizing his excellency, the governor, to appoint such an officer of the militia of this commonwealth, as he may deem suitable, and take such other measures in relation thereto, as in his judgment the interest and dignity of the commonwealth may require.

Massachusetts' Claims.—The committee to whom was referred the claims of this state against the United States has made a report thereon, which has been accepted in both branches of the legislature; and his excellency the governor was authorized to cause to be delivered to the hon. H. G. Otis and the hon. Prentiss Mellen, senators of the United States, or either of them, such accounts, documents, and papers, as may be necessary to support the claim of the commonwealth against the United States, for the use of the senators and Representatives in congress from this state. And the senators and representatives in congress from Massachusetts are instructed and requested to attend to, and use their best endeavors to prosecute the said claim, so that a fair and equitable adjustment thereof may be speedily obtained.

A report made to the house of representatives of the United States from the Massachusetts delegation, at the late session of congress, was communicated to the legislature, and which, although not acted on, will in course come under consideration at an early day of the next meeting of congress, and we doubt not will be supported with that zeal and ability to which the subject is so well entitled.

NEW YORK.

Singular Phenomenon.—The Westchester Herald of June 9 says, "Some time last week Mr. John Lacock, of this place, a gentleman of undoubted integrity and veracity, while splitting a cedar tree into quarters, for posts, discovered in the heart of it a *living toad*, about half grown; the cavity in which it was lodged was but merely large enough to contain it, and there was not even the smallest communication from the cavity for the circulation of any air—the tree was perfectly solid, and from its size is supposed to be of twenty or thirty years growth. As soon as the tree was quartered, the toad (conscious of having regained its liberty) instantly leaped from its confinement, and still lives. Similar instances have been reported, but whether in consequence of the reality of such a phenomenon having been doubted, or for some other cause, we have no recollection to have seen the opinion of any naturalist, accounting for the possibility of a toad's getting into a solid piece of wood, or how it can exist while there. Should any one be pleased to furnish a communication upon the subject, it will no doubt afford a great satisfaction to the curious."

From the New York Columbian, June 5.

INTERNAL NAVIGATION.

The progress of the work which is to connect the tide waters of the Hudson with the inland seas of the west, is advancing with more rapidity than was at first anticipated by the advocates of the vast undertaking. Already has every difficulty been overcome by the ingenuity and enterprise of our fellow citizens. The most sceptical are compelled to yield their former opinions, and the facts are so staring and palpable that any longer to doubt of success is worse than folly.

The commissioners are pressed for contracts,

on terms within their estimate, by persons of great respectability and adequate responsibility. The line is not marked out with precision to an extent sufficient to meet the offers. But every exertion is making to give opportunities to those who are so desirous of engaging in the grand achievement.

Some serious doubts in relation to the impediments in the canal by ice and frost, have been removed by facts and experience the last spring. The embankments have received no injury by the severity of frost. The angle of the sides of the canal is found to be so properly inclined as to succeed to the most perfect security against the inclemency of the winter season.

The ice on those sections excavated, was found to be completely dissolved before it was in the Mohawk river, on the Oneida lake, and on lake Ontario. When boats could not navigate in either of these, the waters in the canal at Rome were entirely dissolved, and boats were plying. The reason of this is now self evident. The waters, running into the canal are from springs, and the earth also imparts a portion of heat to the ice formed in these trenches. The fact is, however, important, and undeniably true. Many other valuable and important results have transpired, and have been carefully noted during the last spring.

In a part of the line passing through the town of Manlius, in the county of Onondago, the contractors have cut into two separate mines or beds of gypsum. The quality is of the best kind, and of an inexhaustible quantity—professional, and other well informed gentlemen, who have examined this gypsum, pronounce it the most pure of any heretofore discovered. The ease of taking it from the beds may be readily conceived, and the expense of transportation will be so moderate down the canal to the Mohawk, that it can be furnished at Schenectady for five dollars per ton, so soon as the middle section is completed. The commissioners have the fullest confidence in asserting that the distance from Utica to Salina (or about 70 miles) will be excavated and embanked this season, and the most sanguine hopes are entertained that the next summer will enable boats to ply through the distance of nearly one hundred miles, from Seneca river to Utica. In the distance now in a progressive state, the commissioners apprehended difficulties in passing through the Camillus swamp, and estimated the expense at fifty cents the cubic yard. There are persons willing to contract for the most difficult portions of this passage through the swamp, at 14 cents per cubic yard, thus making a saving of fifty thousand dollars. This amount, with several others, will enable the commissioners to appropriate several incidental expenses to contingent and unforeseen difficulties, keeping the whole expenditure within their original calculation.

The completion of the middle section will open an intercommunication, taking in about eighty miles of the Mohawk river, of about two hundred and thirty miles—adjacent to and connected with the most fertile and productive country in the state—the advantages to be derived from these facilities of exports and imports cannot be too highly estimated.

The nature of the earth is found to be such as to preclude, in a great measure (and probably entirely) the necessity of puddling. The tenacity of the earth through which the water passes is so favorable that no wastage is experienced of

any consequence; and such is the abundance of the supply, that a great deal can be spared without inconvenience. After the water is suffered to run into the trenches for a few days, a sediment is formed, which is neatly water tight—a fact which is of importance in several points of view.

The northern canal is in such a state as to warrant the making of contracts. One of the commissioners has been on the line, and made engagements for an extent equal to about twenty miles, to be excavated and embanked this season.

The grandeur and utility of the undertaking of this stupendous work, attracts the attention, and receives the applause of the great men of the world. Our ministers abroad are continually applied to for particulars and details on this subject, and, it gives us great pleasure to add, that these public functionaries are studious to possess themselves of all the necessary information, and to give it their animated and patriotic support. His excellency Richard Rush, near the court of St. James (in England) views the completing of the canal, commenced under the patronage, and managed under the munificent liberality of our state administration, with the eye of a statesman and philosopher. It is the theme of his praise and patriotic conversation, whenever opportunities offer.

Canal Loan.—The commissioners of the canal fund have advertised that they will, until the 15th day of July next, receive sealed proposals for a loan to the state of \$250,000, to be paid in two instalments—the first on the 1st day of August, and the second on the 1st day of October next. The rate of interest not to exceed 6 per cent. per annum, payable quarter yearly, and the principal to be reimbursed at the pleasure of the government, at any time after the 1st day of July, 1837. The interest to be paid at the Manhattan Bank in New York, and at the State Bank in this city.

[*Albany Daily Advertiser.*]

PENNSYLVANIA.

Two seventy-fours.—The Philadelphia papers say, orders have been received in that city from the navy department to lay down the keels of two seventy-four gun ships.

Coaches.—The post coach, one day at least in the last month, arrived from Philadelphia to New York, at about half past three o'clock, making the whole time occupied on the route, ten hours and thirty minutes. By this arrangement the Philadelphia morning papers are received at New York in the afternoon of the day of publication; and the New York papers transmitted in the same manner to Philadelphia.

The following is extracted from an old paper printed at Philadelphia by Benjamin Franklin, and when contrasted with the above, will show the astonishing improvement made in the communication between the cities of New York and Philadelphia, in something less than a century:

December 9, 1729.

“Communication between New York and Philadelphia. N. B. While the post to New York continues his fortnight stages, which he has now begun, we shall publish a whole sheet once a week as usual, and not a half sheet twice a week as we have lately done.”

GEORGIA.

Chehaw Expedition.—So much has been already said respecting the Chehaw expedition, that

we almost loathe the subject.—We touch it now with reluctance, and we hope for the last time.

The effervescence of public feeling having in some measures subsided, it might be well to inquire, whether a factitious importance has not been given to this affair—whether a greater degree of excitement has not been produced, than is warranted by the occurrence, deeply as it is to be lamented!—What are the facts?

Early in March, General Jackson was requested by the Governor to station a sufficient military force on the frontier, to protect the most exposed parts against the murderous incursions of the Indians. He neglected to do so, and did not even return an answer to the application, although the alarm which prevailed at the time was so great that the inhabitants were abandoning their homes and flying to the interior for safety. Placed in this embarrassing situation, and being importuned for relief by those menaced with danger, the Governor organized an expedition against *Felenna's* and *Hopanny's* towns, which from their known hostility, Gen. Jackson himself directed the friendly warriors, on their return home, to destroy. The officer charged with the execution of the enterprise, from ignorance, or some other cause, attacked the Chehaw village, laid it in ashes, and killed ten of its inhabitants.

This is a plain history of the transaction. And yet, we are told by General Jackson and others it is an offence of such enormity, as to be without a parallel in history—a deed of so black a dye, that it will cast an eternal stigma on the character of the state. How absurd?

In our subsequent columns will be found the documents relative to the release of Capt. Wright by the civil authority, from the military arrest of General Jackson, who had ordered him to be taken to Fort-Hawkins and confined in irons till the determination of the President should be known. The circumstance has excited considerable enquiry, and given rise to much difference of opinion. Some blame, others commend, the interference of the court. If Capt. Wright were not in the service of the United States at the time he commanded the Chehaw expedition, Gen. Jackson would have had nothing to do with him—and that he was not, is proved we think conclusively by the fact, that the quota of militia to which he belonged, was attached for the sole purpose of assisting in the reduction of Amelia Island, and not to perform a tour of duty on the frontier or in the Indian nation, which was never contemplated, we are certain, by either the general government or the Executive of this state, at the time these troops were called for and detailed. As soon therefore as Amelia Island was occupied, the requisition of the President being complied with, they were entitled to their discharge. Their being afterwards ordered into service, by an officer of the regular army, and kept several months, without the consent of the Governor, was a flagrant violation of his authority, and would probably have been resisted as such in the first instance, but for the complying disposition which Georgia has always manifested towards the United States. Being unjustly detained, the Executive had an undoubted right to withdraw the whole, or any part of the detachment, whenever it should be deemed expedient to do so. Hence, Captain Wright is responsible to the military authority of

the state, and to that alone, for his conduct, unless a civil prosecution be instituted against him for murder, which would elicit the facts, and probably be as good a course as any.—That he ought to be brought before some tribunal, and if justly punished, we are clearly of opinion.

The Chehaw Indians, we are informed, estimate the property lost in the destruction of their town, at eight thousand dollars. The entire Creek Nation will meet at Fort Mitchell on the 7th of this month, to take the affair into consideration. An intemperate letter, we learn, has been received by the Governor from General Jackson, to which a spirited answer has been returned—and a formal demand of Capt. Wright's person has been also made, with which we presume the Governor will not comply, if at all, till he hears from the President, to whom he has written on the subject.

[Geo. Jour.]

Extract from the talk of General William McIntosh, commanding the Creek Warriors, on his arrival at Coweta from the late campaign against the Hostiles, to Major General Jackson, dated

FORT MITCHELL, May 5, 1818.

"My friend—When I returned to my town, I heard with regret that my uncle [Howard] and family had been murdered, and that their town was destroyed. If an Indian kills a white man, I will have him punished—if a white man kills an Indian, he ought to be punished. I wish you to find out who has done this murder, and let me know what those Indians have done that made the white men kill our people."

Measrs. Grantlands—Considerable excitement having been produced by the arrest of Captain Wright, and his subsequent discharge, you are requested to publish the annexed documents relating thereto, for the information of the public:

Head Quarters, Division of the South,

May 7th, 1818.

Str—You will send or deliver personally, as you may deem most advisable, the enclosed talk to Kinnard, with instructions to explain the substance to the Chehaw Warriors.*

You will proceed thence to Hartford in Georgia, and use your endeavours to arrest and deliver over in irons to the military, authority at Fort Hawkins, *Capt. Wright* of the Georgia militia, who has been guilty of the outrage against the women and seperanated men of the Chehaw village. Should Wright have left Hartford, you will call upon the Governor of Georgia to aid you in his arrest.

To enable you to execute the above order, you are authorised to take in company with you the Tennesseans that went from here lately for Fort Scott, and await, if you think it necessary, the arrival of the Georgians now on march under Major Porter. You will direct the officer commanding Fort Hawkins to keep Capt. Wright in close confinement until the will of the President be known.

The accompanying letters for the Secretary of war, and Governor of Georgia, you will take charge of until you reach a post-office.

(Signed)

ANDREW JACKSON,

Major Gen. com'g.

Major John M. Davis, Asst. Ins. Gen.

* The substance of this talk was, that the Chehaws should not attempt to take any satisfaction themselves for the outrage committed on them; that their father, the President of the United States, would see them justified, to whom he has reported the circumstance.

DUBLIN, GEO. 24th May, 1818.

Str—I am directed by Major General Andrew Jackson, Com'g the Division of the South, to arrest you, and conduct you to Fort Hawkins, where you are to remain until the pleasure of the President of the United States be known on your case.

You will therefore, consider yourself in arrest, and proceed accordingly.

By order—I am respectfully yours, &c.

JOHN M. DAVIS, *Asst. Ins.*

Gen. U. S. Army.

Capt. Obed Wright, Georgia militia.

CHAMBERS, 28th May, 1818.

Present their honors.

Robert Wynn,

William Bivin, &

James Fleming.

Justices

The court met for the purpose of hearing Obed Wright, who was brought up before them upon a writ of habeas corpus, which is as follows:

GEORGIA, Baldwin county.

To any Justice of the Inferior court.

The petition of Obed Wright sheweth, that he is detained in confinement by Maj. Davis, an officer in the United States service, and he therefore prays the benefit of a habeas corpus, to enquire into the cause of his confinement and detention.

SEABORN JONES.

Attorney for petitioner.

May 28th 1818.

GEORGIA, Baldwin county.

To Major Davis, an officer in the United States service.

It appearing from the petition of Obed Wright, that he is now kept in custody by you, and he having prayed a writ of habeas corpus, you are therefore hereby commanded that you bring before me, at the court house of this county, by the hour of eleven o'clock of the forenoon of this day, the body of the said Obed Wright, by whatever he may be known, with you, together with the cause of his commitment and detention, that he may be dealt with according to law. Fail not, and have you then and there this writ.

Given under my hand this 29th May, 1818.

WILLIAM BIVINS J. I. C.

Habeas Corpus.—By the constitution of the United States and of the State of Georgia.

Milledgeville, 28th May, 1818.

I have the said Obed Wright in court, together with the cause of his commitment and detention.

JOHN M. DAVIS.

Asst. Ins. Gen. U. S. Army.

Maj. John M. Davis, Assistant Inspector General of the United States Army, in obedience to a writ of habeas corpus this day served on him, having produced the body of said Obed Wright, mentioned in the habeas corpus, before the court, together with the cause of his confinement and detention: And the court, on consideration, deeming that no sufficient cause is shown for his detention—on motion, ordered that he be discharged forthwith.

(Signed)

ROBERT WYNN,

WILLIAM BIVIN &

JAMES FLEMING.

GEORGIA, Baldwin county.

I, Thomas H. Kenan, clerk of the inferior court of said county, do hereby certify that the preceding pages contain a true copy of the proceedings on the trial of Obed Wright, in consequence of his confinement and detention, &c.

Given under my hand and seal, this 28th May, 1818. THOMAS H. KENAN, *Clk. I. C.*

Savannah June 6—Arrived at Tybee yesterday morning the United States schooner Lynx, Lieutenant commandant John R. Madison. Captain John H. Elton, formerly of the Saranac, came passenger in her. We are happy to see among us this gallant and distinguished officer. We understand, Captain E. had some time since requested to be released from his command, which has been granted, and he is now on his way to the north. Captain Dallas, who went through this city a week since, had arrived at St. Mary's, and has taken command of the Saranac—We presume it is the intention of Captain Elton to resume the command in the course of a few months—he has had some active and arduous duties to perform, and we wish him a speedy restoration to health.

The United States' ship John Adams, Commodore Henley, was to sail for New-York in a few days, to change her armament. Captain Dallas, with the Saranac, Prometheus, Finch, Lynx, Mason, and gun vessel 168 remain on the station.

An affray took place at St. Mary's, in which several of the officers of the army and navy with a number of citizens were engaged. Col. Hopkins, and several others, were wounded. We have not learnt the origin of the dispute, neither do we know any of the particulars of this unpleasant rencontre.

Supposed treaty of Alliance—The Augusta Chronicle of the 3d inst says,

The following fact is probably not generally known. We publish it under the expectation of eliciting more information on the subject.

When Woodbine and Nichols were on their return to England, after the late war with that country, they touched at Amelia Island, where they remained a few days. They were accompanied by the Prophet ~~Shawnee~~, who was hung at St. Marks. During their stay at Amelia, Woodbine put into the hands of an Englishman, (who resided on the Island) for perusal, a Treaty of Alliance offensive and defensive, between his Britannic Majesty and the Lower Creeks. As loyal subjects of the "fast anchored isle," certain strange privileges were to be guaranteed to them, among which were a free and uninterrupted navigation of St. Mary's and Apalachicola. Francis was going on to ratify the Treaty, which was signed by himself and three other Chieftains.

Whether this act of Woodbine and Nichols was recognized by the British government, we are unable to say—But we are strongly induced to believe it was, from the circumstance of Francis returning with the commission of Brigadier General in the English service.

DISTRICT OF COLUMBIA.

The PRESIDENT of the United States returned to this city on Wednesday last, from his tour of observation of the waters of the Chesapeake. He left the *Nonsuch* about thirty miles below, and was rowed up in the boat by sailors.

The secretary of war, Mr. CALHOUN, we learn did not return to Norfolk, with the president from Elizabeth city, N. C. but continued his journey to his former residence in South Carolina. The secretary of the navy, Mr. CROWMINS, took passage from Norfolk for Baltimore, where he has arrived in safety.

The New York papers inform us that the ship Foster, from Londonderry, has brought out a hog which weighs fifteen hundred pounds. This, we take it, must be of the *Cobbet* breed.

Fire in the woods. The Quebec papers state that much damage has recently been done in that district by fire in the woods. Several log houses have been burned, and the settlers saved their lives with difficulty.

By the London papers of the 7th May, we learn that the celebrated Lavalette, has resided in Scotland for some time past, and that he is now in London. The Duke of Wellington and suite was landed at Dover on the 2d May, on their way from France to London.

The papers state that the United States' frigate Guerrier, has undergone a thorough repair at Boston, and is prepared for a voyage to St. Petersburg, whither she is to carry Mr. Campbell, our minister to Russia. It is expected he will leave this city for Boston in a few days.

Legislature of Massachusetts, was prorogued on the 13th instant, to the 2d Wednesday of January next. During their late session, the general court, (as the legislature is termed,) have passed 35 acts, and a great number of resolves. But the great body of the most important business was referred to the next winter session.

Hail Storms—The present season has been more remarkable for hail than any preceding for many years past. Besides the one experienced here sometime since, several have visited many other parts of the country, doing much damage to vegetation, glass windows, and in some instances to animals, through the upper part of Virginia, Maryland and Pennsylvania. At Winchester hail stones have been represented as of a very large size, and also at Hagerstown, Maryland. At Chambersburg Pennsylvania, on the 9th instant, it is said in the papers of that place, there fell in great quantities hail stones, some of which measured from six to eleven inches in circumference, round and smooth. revd. Mr. Hoffman, who was exposed to the whole of it, at the place where the storm appeared to be severest, assert, that some fell apparently as large as his fist, and that they generally appeared as large as goose eggs. The Editor of the Pittsburgh Mercury, in his paper of the 12th inst. says, that on the Sunday previous they were visited with a severe fall of hail, he being about two miles from home, measured several from 6 to 8 inches in circumference, and one in particular, two hours after it had fallen, and after he had carried it two miles in his hand measured between 8 and 9 inches round.

ERRATA.

Page 269, 2d col. 25th line, for *milus*, read *milice*.

Page 395, 1st col. 20th line, for *abrogation*, read *abnegation*.

Same page, 1st col. 22d line, for *absolutely*, read *abstractedly*.

Same page, 1st col. 30th line, for *would not*, read *could not*.

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